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Official Correspondence.

Santa Fe New Mexico
August 30 1852.

Col E. V Sumner
Com. 9th mil Dept U.S.A.
New Mexico

Sir.

Learning that you had given orders to remove the troops from here tomorrow and being apprehension that in the absence of all force to preserve the peace of the City that the lives and property of the Citizens would be left at the mercy of those who pay no regard to the laws and as you are aware of the unsettled State of society here and the difficulty that surrounds the Civil Officers in the discharging their duties owing to the death of the Governor and the absence of the Secretary and as it is expected (in my opinion) in such emergencies that the "Civil & Military Department should act in concert" to preserve order, I would respectfully but earnestly request that if not incompatible with the public service that the troops might not be removed until after the arrival of the Governor (who is said to be sick at Fort Union) or such time as the Civil Officers of the Government can take such measures to guard the lives & property of the Citizens.

Very respectfully Your Obt Svt.
John Greiner
Secy Ter. New Mexico.

Santa Fe New Mexico
August 31 1852.

Sir

I have received your letter dated yesterday and it was the first intimation to me that you had assumed charge of the Governors.

All the troops are not ordered from this City, and will not be till the public property can be removed, which will require some time. Of this fact I am very sure that I apprised you some days since. I am no means aware of any particular excitement among the Mexicans at this time. As the Civil Government has again resumed its functions, I shall immediatly restore all things precisely where I found them when I took charge of the Executive Office and return to my head quarters at Albuquerque.

This course I am bound to take, well knowing that it will be in accordance with the views of the General Government.

Very Respectfully Your Obt Svt.
E. V. Sumner
Bvt Col Comy 9th Regt

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Treasury Department
Comptrollers Office
July 2. 1852.

Hon Greiner Esqr
Secretary of the Territory
of New Mexico - Santa Fe

Sir

Have executed the enclosed bond with your securities
have it witnessed, the Sureties justify and their sufficiency Certified as follows:
The name to be written and seguid in full, seals to be affixed with wax
or wafer: Signature to be witnessed by two witness - The sufficiency of the Sureties
to be Certified by the Clerk of a Court of record under his seal of Office,
in the County or District where the parties reside, or by the United
States Judge or Attorney, after the Sureties shall have justified on oath,
as to their sufficiency to pay the penalty of the bond before same Judge
or other Magistrate duly authorized to administer oaths, which authority
shall be certified by the Clerk of the proper Court under his seal of Office.

I beg leave to refer you to my letter to Mr Allen, your predecessor,
of the 29th of April 1851 for general instructions as to the duties of your Office.

Other Letters have been written to him in relation to printing and
other matters appertainning to the duties of his Office, to which I respectfully
refer you

Very Respectfully
Elisha Whittlesey
Comptroller.

Know all men by these presents That We John Greiner Preston Beck
James J. Webb Joseph Brevoort George W. Estes and Solomon J. Spiegel
berg are held and firmly bound unto the United States of
America in the joint and full sum of Twenty Thousand dollars
lawful money of the United States to which payment well and
truly to be made we bind ourselves jointly and severally, our
joint and several heirs Executors, and administrators firmly by these
presents - Sealed with our seals, and dated this Thirtieth day of
August in the year of our Lord One Thousand Eight hundred
and fifty Two.

The Condition of the foregoing Obligation is such
that whereas the President of the United States has by and
with the advice and Consent of the Senate appointed John
Greiner Secretary of the Territory of New Mexico by Virtue of an
act entitled An Act proposing to the State of Texas the establish
ment of her Northern and Western boundaries the claimed by
her cession to said boundaries and of all Claims upon the United
States and establish a Territorial Government for New Mexico
approved the 9th of September 1850 and whereas according to the

Statute and the Usages of the Government, the Secretary is made the disbursing Agent to pay the expenses of the Legislative Department and the Contingent expenses of the Territory and as such is required to give bond

Now therefore if the said John Greiner shall truly and faithfully disburse and promptly account for all Money that shall be intrusted to him for disbursement as such Secretary for the purposes of defraying any expenses of the United States in said Territory or which may be directed by the Secretary of the Treasury or the head of any of the Department of the Government to be paid by him for any other purpose than the above Obligation to be Void and of none effect, Otherwise it shall abide and remain in full force and Virtue

Signed and sealed in presence of
Caleb Sherman
John Ward

James J. Webb
Preston Beck
Jos Mercure
Solomon F. Speigelberg
George W. Estes

United States of America
Territory of New Mexico

I Grafton Baker Ch Justice of the Supreme Court of the United States for the Territory of New Mexico do hereby Certify that the several persons whose names are signed to the within bond as Sureties personally appeared before me this 30th day of August A.D. 1852, and duly qualified under their respective Oaths, as to their abilities and solvency as sureties, And that they are amply sufficient to pay the penalty of said Bond.

Given under my hand at the City of Santa Fe this 30th day of August A.D. 1852.

Grafton Baker
Ch. Justice Supr. Court U.S.
Territory of New Mexico.

United States of America
Territory of New Mexico
First Judicial District

I H. H. Tompkins Clerk of the District Court of the United States for the first Judicial District of the Territory of New Mexico do hereby Certify that Grafton Baker whose name appears to the above Certificate was on the 30th day of August A.D. 1852 the presiding Judge of said District duly Commissioned and Qualified and that his Signature thereto is genuine

In testimony whereof I have hereunto set my hand and affixed the Seal of said Court this 30th day of August A.D. 1852.

H. H. Tompkins Clerk

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United States of America
Territory of New Mexico
County of Santa Fe

Personally appeared before the undersigned Chief Justice of the Supreme Court of the United States for the Territory of New Mexico, John Greiner Esq who took and subscribed the following Oath as Secretary of the Territory of New Mexico, "I John Greiner do solemnly Swear that I will support the Constitution of the United States and well and truly perform and discharge the duties of Secretary of the Territory of New Mexico to the best of my abilities so long as I shall continue in said Office, So help me God,

John Greiner

Given under my hand this 30th day of August Anno Domini Eighteen hundred and fifty two

Grafton Baker
Chief Justice Supr. Court
U. S. Territory of New Mexico.

United States of America
Territory of New Mexico

I Grafton Baker Chief Justice of the Supreme Court of the United States for the Territory of New Mexico do hereby Certify that on the day of the date hereof, Wm. Carr Lane appeared before me and being duly sworn by me did declare and depose that he would support the Constitution of the United States and also, that he would well and truly perform the duties and execute the Office of Governor of said Territory of New Mexico according to law.

Given under my hand at Santa Fe this 13th day of September A.D. 1852.

Grafton Baker
Ch. Justice Supr. Court U.S. Ter. N.M.

Millard Fillmore
President of the United States of America.
To all who shall see these Presents. Greeting:

Know Ye, That reposing special Trust and confidence in the patriotism, integrity, and abilities, of John Greiner, I have nominated, and, by and with the advice and Consent of the Senate, do appoint him to be Secretary of the Territory of New Mexico; and do authorize and empower him to execute and fulfil the duties of that Office

according to Law, and to have and to hold the said Office, with all the powers privileges, and emoluments thereunto legally appertaining, unto him the said John Greiner, for the term of four years from the day of the date hereof, unless the President of the United States, for the time being, shall be pleased sooner to revoke and determine this Commission.

In testimony whereof, I have caused these Letters to be made patent and the Seal of the United States to be hereunto affixed.

Given under my hand, at the City of Washington, the twenty eighth day of June, in the year of our Lord, One thousand eight hundred and fifty two, and of the Independence of the United States of America, the Seventy sixth.

Millard Fillmore

By the President:
Danl. Webster
Secretary of State.

Department of State,
Washington, June 29th 1852.

Sir

The President having, and with the advice and Consent of the Senate, appointed your Secretary for the Territory of New Mexico, I have the honor to inclose your Commission. You will be pleased to inform this Department of the receipt of it, and, should it be accepted, of the name of the State or Country in which you were born.

I am Sir, respectfully,
Your obedient Servant,
Danl. Webster

To John Greiner, Esq.
Santa Fe
New Mexico.

Santa Fe New Mexico
August 29 1852.

Sir

By this mail I received a Communication from the Department of State, apprizing me that the President had appointed me "Secretary for the Territory of New Mexico."

I also received the Commission accompanying it.

My Bond has been filled up and Signed, and the oath taken and will be forwarded by the September Mail and I shall at Once enter upon the duties of the Office.

Gov. Lane will arrive here in a few days he is now within One hundred Miles of this place.

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Paul born in Philadelphia State of Pennsylvania.

Very Respectfully
Your obt Servt
John Greiner

Hon. Daniel Webster
Secry of State
Washington D. C.

Santa Fe New Mexico
August 30th 1852.

Hon. Elisha Whittlesey
Comptroller of Treasury
Sir.

Received by this Mail a Bond and have had it Signed Sealed Sworne To And witnessed according to directions and shall at once enter upon the duties of Secretary of the Territory of New Mexico.

The Bond will forwarded by this Mail And Trust will prove Satisfactory.

The Legislature will meet on the first Monday in December next And the funds belonging to the Territory will be needed at that time To pay the Members will you be kind enough to Issue me drafts of $ 1000 Dollars each on the Assistant Treasurer at St Louis To the Amount for which the Territory is entitled. (I Speak at the Suggestion of my Predecessor.)

May I Claim your indulgence so far as to request you To send me instructions plain and explicit as to the duties the Department expect me to perform and I will try to the best of my ability To render Satisfaction. Please send every thing To which the Office may be entitled by the first Opportunity To my address. Gov. Lane is expected in a few days.

Very Respectfully
Your Obt Servt
John Greiner
Secretary of N. Mo.

Secretary's Office
Santa Fe New Mexico
Sept. 28th 1852.

Hon. Elisha Whittlesey
Sir.

I trust you will excuse me for asking you to send me a copy of the instructions intended to govern the Secretary in his duties as no such document can be found in this Office.

I do not wish to assume more responsibility, than is absolutely necessary and without any rule to guide, or law to govern me I am compelled at times to grope my way in the dark.

You are aware that the funds belonging to the Territory and some of the papers belonging to this Office were taken by my predecessor to the States with him, for the purpose of settling up his accounts with the Government.

I am now compelled to use my own private funds to pay the contingent expenses of the Office, as I have no other to draw upon and but very little of that, supposing as a matter of course that the November Mail will relieve me from this difficulty.

You are aware that there is a debt yet existing against the Territory of about $ 4000 which is paying interest at the rate of one and half per cent a month, and the creditors are becoming clamorous for their money. Ought this debt not to be paid at once. ? How shall I settle the interest ? Will the U. S. or the Territory pay it ?

There has also been a loan made by the Territory authorized by the Legislature of $ 505 bearing interest at 12 per cent per annum. This money was to pay Extra Clerk, here after the adjournment of the Legislature which my predecessor refused to allow. Should this debt not be pay at once. ? There are also other claims against the Territory, but as yet I have no means of judging as to their validity.

The laws have been printed as per Contract and the printer wants his money. The job I think is a good one but I have no money to pay him. I send you a copy by (mail)

I learn also that a contract has been made to print the Journals of last Session, but I am not advised by any thing from the Department what to do in relation to this matter.

The Speaker of both houses of the last Legislature claim double pay for their services and resolutions were passed giving it to them but my predecessor refused to allow the claims. I shall I allow them.

I believe there is about $ 20, 000 of the public buildings funds on hand and there is quit complaints made by the Citizens of the Territory that the Buildings have not yet been Commenced.

This Winter will be a good time To quarry the Stone and burn the Lime, so as the work can not only give the people imployment This winter, many of whom are in nearly a Starving condition- but also will enable the Contractors To progress more rapidly in the Spring.

The lot directly in rear of the Palace is thought by the Commissioners of public buildings To be the most suitable place To erect the new Buildings- The Palace To be left standing for the Convenience of the Legislature, and the public Offices- until the New Buildings are finished. Then the old structure To be torn down.

This lot belongs To the United States and is now in possession of the Military. I presume there will be no difficulty from that quarter.

I have written To major Weightman authorizing him if it met your approvation To offer a premium of $50 or $100 as you thought best for the best plan for Territorial Buildings.

Last but not least as To my Salary. My predeceser I believe intends To draw for his Salary up To the date of my acceptance of the Secretary ship- while I cannot see any good reason why I should not draw from the date of my Commission- especially as nearly all the business since the 28th of June the day of my appointment has to go throught my hands, Mr. Allen leaving the Territory on the 10th day of April.

Will you be kind enough To enlighten me on this important matter, as I wish To get all the money I can draw from the Treasury- but at the same time want nothing but what is fair, and what I am honestly entitled To.

Very Truly
Your Obt. Svt.
John Greiner
Secretary of Territory
New Mexico.

Letter of Mr. Whittlesey.

Treasury Department
Comptrollers Office
Octs. 7. 1852.

John Greiner Esqr.
Secty of the Territory
of New Mexico

Sir

Your letter of the 30th of August last has been received in which you advise me, that your bond had been sent to the Secretary of State, and that a remittance of funds was necessary to defray the expences of the Legislative Assembly which would meet on the first monday in December. I beg leave to inform you that, your bond has been received by the Secretary of State, and referred to this office and filed.

I have requested the Secretary of the Treasury to have transmitted to you drafts to the Amount of $20. 000, of $1.000 each, in the Assistant Treasurer at St Louis, Missouri on account of the Appropriation by Congress for Compensation, and mileage of the Members of the Legislative Assembly, Officers, Clerks, & Contingent Expenzes of the Territory of New Mexico.

I also inclose in accordance with your request, instructions relative to your duties as Secretary of said Territory.

Very Respectfully
Elisha Whittlesey
Comptroller.

Treasury Department,
Comptrollers Office,
Oct 7th 1852,

Wm Greiner Esqr
Secty of the Territory
of New Mexico

Sir.

By virtue of your Office as Secretary of the Territory of New Mexico, you are made disbursing Agent for the payment of the expenses of the Legislative department and other Contingent Expenses of the Territory pursuant with the usages of the Government and the 12 Section of the Organic Act of the Territory.

In making your requisitions for Money to defray the expenses of said Territory, you should specify therein the Sum of the several items, or classes of items, to the payment of which the advances required are to be applied.

The 12 Section of the Organic Act of the Territory provides that there shall be appropriated Annually a sufficient Sum to be expended by the Secretary of the Territory, upon an estimate to be made by the Secretary of the Treasury to defray the expenses of the Legislative Assembly, the printing of the laws & other incidental Expenses, and requires the Secretary of the Territory, to account to the Secretary of the Treasury for the expenditure of the same.

The 16th paragraph of the Appropriation Act of the May, 18th 1842, provides "that the Legislative power of no Territory shall hereafter in any instance, or under any pretext whatever exceed the Amount Appropriated by Congress for its annual expenses," and the Act in relation to the Amounts of Wisconsin and for other purposes still further limits Territorial Expenses.

In making your disbursements in payment of the per diems and mileage of Members of the Assembly and the compensation of their Officers, & of Contingent Expenses, you should examine carefully the laws Organizing the Territory, and also the Act to provide for the settlement of certain Accounts for the support of the Government in the Territory of Wisconsin, and for other purposes Approved August 29. 1842. These Statutes prescribe the number of Officers, and limit their Compensation.

The 2nd Section of the Act of August 29. 1842, limits the power of the Legislative Assembly to Incur expenditures, and vests the power in the Accounting Officers, at Washington, to Investigate the acts of the Assembly, in directing expenditures, incurring debts, and making allowances &c. And I have found

it necessary to exercise that power, and to allow a fair compensation to the printer in the Territory of Minnesota, than was established by Legislative acts of, and contracts and allowances made by the Territorial Legislature. You should be on your guard and not allow or pay any claim for services, or make any expenditure except such as are legal, proper, necessary, & reasonable in amount, and where you have any doubt on the subject you may better state the matter, & ask instructions. In case your only question is, as to the amount of a claim as for necessary printing you may better pay apart of the bill, and take a receipt for your payment and refer the matter here for instructions.

All accounts should be stated in detail giving the items and prices in detail, time place and all necessary explanation so as to be understood, and should be stated & receipted in duplicate, that you may send One Copy to the Accounting Officers and retain One yourself for reference, and safety in case of loss. For the Compensation of the members of the Legislative Assembly and the Officers thereof, you will require duplicate Certificates of the presiding Officers, and Clerks of each House for the per diem and Mileage due to each member for specified days of attendance and miles travelled & for the Compensation due to the Officers and Attendants severally, for specific days attendance upon both of which you will take receipt from them respectively.

As to expenses of printing the laws and journals and miscellaneous printing you will be obliged to make payments to pay for the paper, and apart of the work, as it progresses, but do not settle any bills, until you have conferred with this Office and get further instructions as to the rate of Compensation for the work.

You should transmit as often as Semi annually to the first Auditor of the Treasury for settlement all your accounts of disbursement and a set of Vouchers in support of them, comprising and Auditants Current in which you will Audit the United States with the Monies advanced to you, and charge the Amounts of your disbursements, which should be comprised in three abstracts.

1st An abstract of the per diem & Mileage of the members of the Legislature.

2nd An abstract of the pay of the Officers and attendants on the Legislature & Council.

3rd An abstract of all other disbursements.

The items in each abstract should specify each Voucher by number, person, & subject, and to correspond with the Vouchers which should be numbered also. As to bills which may come in for Contingent Expenses and Services not within your personal knowledge it will be proper for you to require the Claimant or his Agent who may know the facts to certify

by affidavit the Amount, that the Services were rendered or the supplies furnished as the Case may be for the United States that all the items of the Account are proper and just Charges against the United States, reasonable in Amount and unpaid.—

You are also referred to my instructions to your predecessor, bearing date April— 1851 And to several letters on file in your Office which contain opinions decisions and additional instructions upon numerous questions which arose relative to the legality of different charges & items of account, and the mode of verifying Accounts.—

Elisha Whittlesey

Office of Secretary Ter. New Mexico
Santa Fe N. M. Nov. 30th 1852

Hon. Elisha Whittlesey
Sir.

Your letter dated Oct 7th has been received in which I learn that my Bond has been received at your Office and filed.

Also that drafts to the Amount of $20.000 $1000 each of the Appropriations by Congress for the Compensation & Mileage of Members of the Legislature were to be transmitted to me for the payment of the Same.

The drafts have not been received by this mail.

The Legislature meets on Monday next I have not a cent of public Money in my hands for any purpose.

I suppose there will be no doubt of my receiving the drafts by next mail— And I will borrow sufficient to for unavoidable expenses, and pay with the drafts when they come to hand.

Very Respectfully
Yours Truly
John Greiner
Sec. Ter. New Mexico.

Treasury Department
Comptrollers Office
Oct. 15th 1852.

Allen Greiner Esqr
Secretary of the Territory
of New Mexico
Sir.

I have received through William S. Allen Esqr late Secretary of the Territory of New Mexico, an account of W. G. Keplart, for printing Laws &c for the Territory, amounting to $3323.60 which you are authorized to pay. The account is not on the usual form, and if it was not for the delay, which would occur in sending the account back for correction I would require a statement of it different from that which you have sent, specifying the Number of 1000 ems and the Amount charged for the same.

When Mr. James L. Collins of Santa Fé was here with accounts for printing, he made a proposition to print at rates which were accepted by me, on the 3 of July last a Copy of which is herewith inclosed, and you are required to conform in future to the prices therein specified for all payments made for printing.

Very Respectfully
Elisha Whittlesey
Comptroller

Treasury Department
Comptrollers Office
July 3rd 1852.

James L. Collins Esqr
of Santa Fé New Mexico
Sir

I have considered the proposition submitted by you to print the journal of the House of Representatives of the last Session of the Territorial Legislature of New Mexico, in the Spanish and English Language, and will approve a Contract to pay for the same at the following rates, to wit for composition in English $1.50 per 1000 ems. for Composition in Spanish $2.50 per 1000 ems for press work per token $1.50 for good paper $16. per ream for pressing, folding, stitching and each copy, with a stout paper and for all other services in relation thereto, thirty seven & a half cents per Copy. The work to be done at Santa Fé, in a workman like manner, and delivered in good order. An Index to the work to be printed, which is to be made by the Secretary of the Territory

Very Respectfully
Signed Elisha Whittlesey
Comptroller

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Treasury Department
Comptrollers Office
9th November 1852.

Adam Greiner Esqr
Secretary of New Mexico
Santa Fé

Sir

Mr Weightman the delegate in Congress from New Mexico called yesterday at the close of Office hours, and stated he had received a letter from you in regard to the public buildings, and further that you was under the impression your salary should commence from the 28th June 1852, the date of your appointment and commission. I write in this letter upon the matter of salary, and if the suggestions made by you to the delegate, in regard to the public buildings, and the matter and subject thereof, should revert to me for any action, thereon, you will be advised without delay.

It appears Mr Allen, when he left the Territory appointed Mr Chas. Blummer acting Secretary to perform his duties in his stead and absence. It also appears from the evidence now before me, that he did perform these duties from the 10th of April, to the period you took the oath of Office, which was the 30th August last.

It is proper to state that before Mr Weightman called I had written a letter to Mr Allen in reply to One received yesterday from him enclosing Statement or Certificate of Mr Blummer certified by Judge Baker as true to the best of his knowledge claiming pay as aforesaid from 10th April. It has been decided in other Cases and such has been the practice, I believe that the salary of the Secretary cannot commence until the commencement of his actual duties. If your service under your Commission began before the date of the oath, you pay should commence therefrom, but you could not expect to receive pay from the date of Commission, and before you was advised of the Appointment; especially when another person was performing the service, which the Govt will no doubt be bound to pay, when the execution of the service is certified in a proper Manner. I have informed Mr Allen that if you would state that you did not claim only from the 30th of August, and would write with him in this respect, that the Amount might be paid to Mr Blummer from 29th April to 31st August, then the payment could be made to the latter, in the manner pointed out, without going to Congress. if not that the latter course must be pursued, this ordered as was done by Mr Whiting, and will be by others under the Appointments of Governor Calhoun.

The salaries of Judges are different under the law, from those of the Marshall, Attorney, and Secretary — they being paid from date of Commission; whereas they do not keep even on each other as is sometimes the case with the Governor, under the same principle, where they are appointed from the States.

Your salary will be paid at this time including the 31st August, to 30th September the close of the 3rd qr of 1852, and the period from the 29 of June to the 30th of August will therefore be considered an open question for the present, and until such information has been received, as will justify the accounting officers in making a decision that will be considered just, and equitable in the premises, and to all concerned.

Most sincerely
Yours
Elisha Whittlesey

Treasury Department
Comptrollers Office
November 9th 1852,

Sir!

Your letter of September 28th has been received on the 2nd July I wrote you and sent you a blank bond, and referred you to My letter of 29th April 1851 to Secretary Allen your predecessor for general instructions. in My first letter dated October 7th I advised you of an advance of $20,000 — My 2nd letter of October 7th Contains some general instructions in relation to your duties, and refers you to letters of instruction on many points heretofore sent to your predecessor, which should be and I suppose are on file in your Office, In that letter I intended to refer you to the 117 paragraph of the general Appropriation Act approved May 18th 1842 but by mistake put it down as the 167th paragraph. — One most general act prohibiting extra compensation to officers of Territories is an act to provide for the settlement of certain accounts of the late Secretary of Wisconsin approved August 29th 1842 to which your attention is again invited. That act recognizes the propriety of allowing an extra Compensation to the presiding officer of the two Houses of the Legislative Assembly and Makes presiding officers an exception to the general rule — time that has the practice been to allow presiding officers of Legislative bodies, in all Territories Extra Compensation, and you are authorized to do the same in New Mexico — that is pay each one $8 per day as a Member and in additional sum of $3 per day, for

every day he may act as a presiding Officer of either House of the Legislative Assembly. But no Extra compensation can be allowed to any Clerk, Secretary, or other Officer of a Territory or Territorial Legislature.

I wrote You again on the 5 of October in relation to an account of Mr W. G. Hopkins for printing, and sent You a copy of My letter of July 3rd to James Collins Esq in relation to certain printing, and the prices agreed on with him for the same. All future accounts for printing should be made out in accordance with that agreement, with Mr. Collins, the acts sent by You of your first Territorial Legislature have been received.

As to the $4.000 debt against the Territory of which You speak, and for which a loan was made, the United States, do not recognize the loan, so far as the Claims for which the loan was made, were legal Claims against the United States, the United States should pay them, And if the Territory has raised Money by loan to pay them and has paid them the amount of the original legal debt against the United States so paid by the Territory, should be refunded without interest by the U. States to the Territorial Treasury, & if not heretofore done, you are Authorized to do it now, and to take the proper discharge of such original Claim.

As to the $505 loan referred to by You, as Authorized by the Territorial Legislature, at 12 per ct interest to pay Extra Clerk hire, it is a debt Contracted in violation of the act of Congress, to which I have referred, Approved August 29th 1842 the Territory must pay that loan, and no relief from the United States can be had, without a special act of Congress.

As to public buildings—so much as may be necessary to repair the present public buildings may properly be taken from the $20.000 appropriated in 1836 for public buildings for the Territory: and small sums may be drawn by You as Secretary to defray the expenses of necessary repairs. But before a large sum can be drawn to erect new buildings, or additions to the present buildings the Legislative Assembly should pass an act, prescribing what it is to be done, and how and by whom the same is to be done, appointing Commissioners to direct and a Superintendent of the work, and a Treasurer to receive and disburse the Money, who should give bonds in the sum of $25.000 or more for the faithfull discharge of the duties of the Office.

Very Respectfully
Elisha Whittlesey
Comptroller

Hon Lewis Cass
Secretary of the Dep.
Washington

Treasury of the United States,
October 18th 1852,

Sir

Enclosed you will receive one Treasury Draft payable to your order. Please date and sign the accompanying receipt and return it to this Office by the first Mail, and cause the draft to be presented for payment without delay.

Very respectfully,
Your obedient Servant,
S. Sloane,
Treasurer of the United States.

Wm Greiner Esqr.

N. B. — The payee of a Treasury Draft when he endorses it, or, presenting it for payment, receipts, it should write his Name thereon as it is written in the draft, or in the endorsement that assigns it to him — taking care to Affix his Official or or representative style or title, if it be written in the draft or in said endorsement. An endorsement by a Mark should be attested by two subscribing witnesses; if by a substitute, it must be accompanied by evidence of this substitution, except in the case of President and Cashier of a Bank.

Santa Fe New Mexico
December 25th 1852,

Sir

I have received the following Treasury Drafts payable to My order by the Assistant Treasurer U. S. St Louis

N.	3018	on	Treasury	Warrant	N. 8018	for $ 4.000
	3019	"	"	"	"	4.000.
	3020.	"	"	"	"	4.000.
	3021	"	"	"	"	4.000.
	3022	"	"	"	"	4.000.

Your Obedient Servant
John Greiner
Secretary Territory
New Mexico

Wm Sloane Esqr,
Treasurer of the United States.

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Secretary's Office Santa Fé New Mexico
December 31st 1852.

Hon Elisha Whittlesey
Sir

With this I send Mr Blumners Account as acting Secretary from the 29th of June the date of My Commision to the 30th August the day of My filing my Bond.

As we are not green enough to quarel Among ourselves who should draw the Money while Uncle Sam would be enjoying it, we have Concluded to take this plan of getting it supposing it to be the most sensible.

I have sent a Draft to Mr Samuel Galloway at Columbus for the Amount, and I doubt not it will be paid upon presentation— I trust My return for the Accounts of this My first Quarter will meet Your approbation, I have directed My Vouchers & to Hon. D. Smith First Auditor— Will you be kind enough to give me a word of advice if Any of my accounts are not Correct.

I Am no great Shaker of a financier but I want to do as near right as possible

Yours Truly
John Greiner

Secretary's Office Santa Fé
New Mexico Dec. 31st 1852,

Hon. E. Whittlesey
Sir:

I send You two Accounts presented by Collins & Hepburn for Printing one for $132. 00 And one for $512.47

Will You be good enough to advise me as to the payment of these Bills.

I also send a Bill from Mr Ward for fifty dollars for taking care of the Books of the Library before the Session of the Legislature I have not paid this Bill for fear it would not be allowed by the Department as the Question might arise should not this pay come from the Contingent Library. Which by the way I see not Money in the Journals of the House for last year will be printed in time to send You a Copy by the next Mail

I have paid for the printing of the Laws as You will see by the Vouchers.

Yours Truly
(Signed)
Secretary Santa Fé
New Mexico

Office of the Secretary of New Mexico
Santa Fé Dec. 30th 1852

Thomas L. Smith Esqr.

Sir

I sent You My vouchers abstracts &c for expenses paid for this Territory since I have been in the Secretary's Office.

The Members of the Legislature requiring their pay every ten days - makes My list of vouchers larger than necessary - but I trust you will find every thing according to justice and if so will you be kind enough to Notify me of the fact as soon as these accounts are settled

I think none of these require explanation if they should, I should be happy to have the opportunity of explaining before I leave the Territory - Mr Pierce will probably not appreciate my services after the fourth of March next (as they say he is a man of but little discrimination) and I should be glad to have every thing square, when I leave so that My Locofoco succesor may have no cause of complaint against his "illustrious predecessor"

Yours
Ilan Greiner
Secretary Territory
New Mexico

Office of the Secretary of New Mexico
Santa Fé N. M. January 29th 1853.

Hon. Elisha Whittlesey

Sir

Enclosed I send you the Joint Resolutions of both houses of Legislative Assembly of New Mexico in reference to the death of Governor Calhoun.

Will you be kind enough to inform me whether I can comply with the resolution directing the Secretary to expend the sum of $ 300 for a Slab of Marble with a suitable inscription &c from the appropriation made by Congress.

I should be much pleased to carry out the resolutions - "as to me it would be a labor of love" - but I do not feel authorized to make the expenditure without your express approbation.

I have the honor to be
Your Obt Svt
Ilan Greiner
Secy Territory
New Mexico

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Office of the Secretary of New Mexico
Santa Fe N. M. Jany 29/53.

Hon. E. Whittlesey
Sir /

I transmit herewith an account for $390. 00 expenses incurred in the publication of the Journals of the House of Representatives of the Territory.

I also inclose a copy of the law legalizing the expenditure, and authorizing the payment of the same.

As I am at a loss to know how far the Legislature has a right to go- in directing the Secretary to expend the funds appropriated by Congress I have thought best to send the account to your Department for such action as you may deem just and expedient.

The Journals have been well Kept, and are yet in the hands of the printer. I will send you a copy as soon as they are out.

As the agreement was made between Mr. Russell & my predecessor Mr Allen to furnish the Journal for publication in English & Spanish and also for the translation of the same My own opinion is that it should be paid- and paid from the appropriation of last year- This however is for you to determine.

Mr Kephart one of the publishers of the Journals will deliver you this and can give you any or all the information you may require upon this subject.

Your Obt. Servt
John Greiner
Secretary of Territory
New Mexico.

Joint Resolution: Resolved: By the Council & House of Representatives of the Territory of New Mexico.

That the expenses incurred under the resolutions passed at the last session of the Legislative Assembly of said Territory relative to the death of William Carter Stevens shall be paid from the Legislative funds of the Legislature of the present year under the direction of the Secretary of the Territory.

Approved January 13th 1853.

A true copy of the original on file in this Office
John Greiner
Secretary, Territory New Mexico.

Office of the Secretary Territory New Mexico
Santa Fe N. M. Jany 29th 1853.

Hon. Elisha Whittlesey, Sir.

Will you do me the favor to give me your opinion as to the propriety of paying the expenses attending the death of Mr. Stevens out of the funds appropriated for Legislative purposes of the last year.

I have the honor to be
your obt. Servt. John Greiner
Secy. Ter. N.M.

Office of the Secretary of New Mexico
Santa Fe N.M. January 29th 1853.

Sir.

I have received the following Treasury Drafts payable to My Order by the Assistant Treasurer U.S. at Saint Louis Nos 3170 on Treasury Warrant No. 8164. for $ 156.52/100

Your Obedient Servant
Jesus Greiner
Secretary Territory
New Mexico

Wm Sloane, Esq.
Treasurer of the United States.

Santa Fé New Mexico
January 31st 1853.

Hon Elisha Whittlesey
Sir.

The Sergeants at Arms of the two Houses of the Legislature, have presented their claims to me for payment for arresting Members for being absent when a call of the House was ordered.

I have declined paying these Bills supposing the fines should more properly be paid by the delinquent members.

I have however consented to send the accounts to you, and if you think differently — I will pay them.

I have the honor
to be
Your Obt Servt
Jesus Greiner
Secy of New Mexico

Office of the Secretary of New Mexico
Santa Fe January 31st 1853.

Thomas L. Smith Esqr.
Sir.

By this Mail I forward the balance of vouchers abstracts &c showing the expenditures of the Territorial Legislature of the 2d session

I have on hand still $ 8. 117 75

Will you be kind enough at your earliest convenience to forward me your acknowledgement of the receipt of my accounts and to inform me whether they have passed your office to a final settlement.

Yours Truly
Jesus Greiner
Secretary Territory
New Mexico

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Treasury of the United States
January 3d 1853

Sir.

Enclosed you will receive One Treasury Draft payable to your order. Please date and sign the accompanying receipt and return it to this Office by the first mail, and cause the drafts to be presented for payment without delay.

Very respectfully
Your Obedient Servant.
J. Sloane,
Treasurer of the United States.

John Greiner Esq.

Office of Secretary Ter. New Mexico
Santa Fé N.M. February 28th 1853.

Sir:

I have recieved the following Treasury Drafts payable to my order by the Assistant Treasurer U.S. New York No. 3479 on Treasury Warrant No. 8542 for $ 450

Your Obt. Servt
John Greiner
Secretary Territory
New Mexico.

John Sloane Esqr
Treasurer of the United States.

Treasury Department
Comptrollers Office
December 16th 1852

Hon. Greiner Esqr Secretary of the Territory of New Mexico.
Santa Fe New Mexico

My Dear Sir

Your favor of the 31st of October is received. Most of the evils mentioned by you arose from the distance of New Mexico from the seat of the General Government, And from the short period the Governor And Secretary held their Offices, Under the belief that you have received my various Communications On the subjects mentioned by you, I shall not transmit copies but will refer to the letters, so that you may know whether any one has not been received October 7: 1852. sent two letters. One advising you of a Draft of $20. 00 to be remitted.

The other letters contained full instructions.

October 15. Authorized you to pay Mr Shephard. $33 23. 50. for printing.

November 9th two letters. One in relation to salary. The other one in reply to a letter of the 28. of September. Reference was made to the letters written before.

November 9th Wrote to Mr Allen late Secretary of said Territory and requested him to return to you such instructions as he had received. A letter was also written to Mr Allen in relation to the compensation claimed by Mr Blummer. as acting Secretary which covers a part of the time. You Consider you are entitled to compensation.

The letters addressed to Mr Allen affect you incidentally only, but I thought it proper to mention them.

Congress appropriated twenty thousand dollars for public buildings in the Territory of New Mexico by the act of September 30th 1850.

Mr Allen drew $300. and refunded it so that the intire appropriation remains unexpended. By An Act approved the 31st of August last all money appropriated and not expended in two years after the expiration of the fiscal year in which the appropriation is made is to be returned to the surplus fund.

This appropriation will go to the surplus fund after the 30th of June next, if not reappropriation or drawn

I will write to day to Mr Wightman your Delegate, to have the money reappropriated. In the Territory of Minnesota, the Legislature appointed a Committee to obtain a plan for the buildings, to Contract for their erection and to Superintend the work, And see the contracts were strictly complied with. The active Member of the Committee received a moderate Compensation out of the appropriation. The mode was a good One, And when adopted and followed, insures economy, and Convenience to the accounting Officers in settling the accounts. The act should designate One of the Committee to act for and in behalf of the Territory in drawing the money. He should give suitable bonds. On drawing a requisition the money should be charged to such person, and he should account for every item of

expenditure by proper Vouchers. As to drawing Drafts, permit me to say a disbursing Officer should not draw a draft on the treasurer, nor on any Office of the Government. When a disbursing Officer wants a remittance of money he should sends a requisition. Stating the amount required and making a reference to the act appropriating the money and giving a pertinent description of the object.

If a draft is drawn it is transferred from hand to hand, and is subject to mercantill usage and protest.

A disbursing Agent has no authority to realize the money before it is advanced from the treasury. Congress should make suitable provisions for accommodating distant Territories and the legislation that suited the North Western Territories: is not suited to Oregon. New Mexico & Utah. The Treasury Department however should not undertake brokerage.

The distant Territories, should receive every aid from the Officers of Government that can be extended to them.

I hope you will overcome every difficulty that has best you.

Most Sincerely
Yours
Elisha Whittlesey

Office of the Secretary of New Mexico
Santa Fé N. M. February 28th 1853.

To the Hon: Elisha Whittlesey

Sir. (Copies of Bills for printing enclosed)

By the March mail I transmit a copy of the Laws of the Territory of New Mexico passed by the Legislative Assembly in the City of Santa Fé at a Session begun on the 6th day of December 1852.

The Printers deserve much credit for the prompt manner in which they have complied with their contract and you will see for yourself that the work has been well done.

Mr. Kephart one of the firm of Collins & Kephart will be in Washington when this reaches you and will call upon you for a Settlement for Printing the Laws.

The Journals of the House of the First Session will be out by the 1st of May

I have paid to Mr Kephart $200, on account and to Mr Collins $500 on account of Printing Laws & Journals making $700 for which I have the vouchers of the firm.

I have the honor to be
Your Ob.t Serv.t
Otero Preston
Secretary Territory of New Mexico

Letter to send to the President of the United States, to the President of the Senate, & to the Speaker of the House of Representatives.
(two Copies) (two Copies)

Office of the Secretary of New Mexico
Santa Fé N. M. Feby 28th 1853

To the President of the United States
Sir:

In compliance with the organic Law I have the honor to transmit by the March Mail "One Copy of the Laws of the Territory of New Mexico, passed by the Legislative Assembly in the City of Santa Fé begun on the 6th day of December 1852"

I have the honor to be
Your Ob.t Sv.t
John Greiner
Secretary Territory
New Mexico

Treasury Department
Comptrollers Office
July 11 1853.

John Greiner Esqr.
Secty of the Territory
of New Mexico
Sir

Your letter of December 31st has been received ——— inclosing two accounts for printing One amounting to $512 47 and the other for $132.

The rates of charging for printing the Governors Message Rules for Council and House Repl.s &c. all the same as those which Mr Collins performed when here, and which I advised him I would sanction, and if the services have all been performed I see no objection to any of the items, except the Charges of $89. 25 and $ 68. 25 for printing discourse of Hon: J. G. Otis ——— Wheat. that discourse was, and what the propriety of printing it at the Expence of the United States, I have no means of judging and can not advise you to pay it without further information.

The Account of $132 for printing proclamations Notices and Handbills, is not similar to accounts from the Territory of Minnesota which have been paid, and if the services have all been rendered and not been paid heretofore, I see no objection to paying the account.

It will be the safest course for you to require all such accounts to be sworn to as to the justice and accuracy of the account, and that the whole Amount is due and unpaid. The bill of $50 for taking Charge of the Library you may pay.

Very respectfully
Your Obt Servt
Elisha Whittlesey
Comptroller

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Office of the Secretary of New Mexico
Santa Fé March 31 1853

Thomas L. Smith Esq.
Sir

I have the honor of forwarding my accounts for the quarter ending this day.

Will you do me the favor to inform me, at your earliest convenience if my Vouchers have met the expectations of your Department.

I trust I shall have no suspended or rejected accounts but if I unfortunately should have it will be of vital importance to me to make the necessary explanations before I leave the Territory.

I have been exceedingly careful in all my expenditures but the best of men sometimes err in judgement, and if I have made any mistakes - I would wish to have an opportunity of rectifying them myself without troubling any successor.

I have the honor
to be Your Obt. Svt
Wm. Pelham
Secretary New Mexico.

Office of the Secretary of New Mexico
Santa Fé N. M. March 31. 1853

Wm. E. Whittlesey
Comptroller Treasy U. S.
Sir

The absence of Gov. Lane, who is now at the Indian Territory among the Apaches will account to you for his not writing by this Mail - He will be here by the arrival of the next one - Should no accident occur to him in his travel.

I have forwarded my quarterly accounts to the First Auditor, and I hope they may be satisfactory to you - I have spared no pains to have them exact, and in conformity to the rules of your Department.

The accounts for printing will not be closed up until the completion of the journals which will be done in less than a month. I will advance on the work $ 500 more - making in all $ 1200. paid for printing. Mr. Upshaw now in Washington will give you all the information required relative to printing. I will also advance to the translator $ 200 more which will make $ 600 on all the account. Should Mr. Whitson) next year and shall leave the quarter of January) the whole amount of Salary for Translator except advanced to you.

I have the honor to be
Your Obt Svt
Wm. Pelham
Secty. Ter. of N. Mex.

Treasury Department
Comptrollers Office
16th February 1853.

Hon Greiner Esq.
Secretary of New Mexico
Santa Fé

Sir

I have received this day from the Hon. Saml Galloway of Columbus Ohio, through the Hon A. D. Campbell, of the House of Representatives your several drafts and accounts, which have been disposed of in the following manner.

The 2 drafts and accounts, with an extract of so much of your letter as pertains to your claim or salary, as acting Indian Agent, I referred to Luke Lea Esq. Commissioner of Indian Affairs, in a letter, for his proper action and direction, with the request if allowed and paid at the Treasury, to cause the payments to be remitted to Mr. Galloway, the assignee of your drafts. And in any event to correspond with him on the subject. If those claims are paid here it will be the duty of the 2nd Auditor & 2nd Comptroller, to state and certify the accounts therefor; but should not these payments have been made by the Superintendent of Indian Affairs in New Mexico - and charged in his accounts.

As to the draft of $305.00/100 for the salary of Mr Bloomer, from 29 June to 29th August 1852 and which it appears from the accounts you have paid to him. I have referred the matter to the 1st Auditor with the request, that he will state an account in your name, and remit the Treasury draft payable to the assignee Mr. Galloway of Columbus Ohio.

Your own salary inclusive from 30th August, to end of 4th quarter 1852 has been remitted to you, which I hope you have received.

I am Very Respectfully
Yours
Elisha Whittlesey

Treasury Department
Comptrollers Office
February 21 1853.

Hon Greiner Esq Secretary of the Territory of New Mexico
Sir

On your draft for $305, in favor of Hon. Samuel Galloway an account has been stated, and that the draft might not be protested, the whole amount allowed, but there is an excess of 1.63/100 in the amount remaining due on the 1st & 2nd Quarters of 1852 which will be charged to you in your next account for salary. This excess arises thus. Paid Wm S Allen late Secretary of the Territory of New Mexico per Report 1083.79 $1110 11

Paid Yancey Secretary from the 30th of August inclusive, date of your qualification to the 30th of September inclusive end of 2nd Quarter 156.52

596.63

Amount of your draft 305

Total 901.63

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Amount of the two quarters from 1st of April to 30th September at $450 each — 900

Excess to be Charged to you in next quarter — $ 1.63.

1 63/100

Respectfully
Yours
Elisha Whittlesey
Comptroller

Treasury Department
Comptrollers Office
Mar 12 1853.

Thos Spriner Esq.
Secretary of the Territory
of New Mexico

Sir.

In Answer to your letters of the 29 and 31st of January last I beg leave to say, that the accounts of O. D. Rufsell and Charles Blummer, for a copy of the journal of the House of Representatives, furnished to the printer in the English and Spanish languages, for $390- the sum of $300 appropriated by a resolution of the Assembly for Slabs of Marble at the Tomb of Gov. Calhoun, and the expenses incurred — under the resolution of the Assembly relative to the death of William C. Skinner, you are authorized to pay- The Charge for a Slab over the Tomb of the late Gov. Calhoun, and the expenses incurred by the death of W. C. Skinner of the Assembly, are unusual perhaps the first instance where a Territorial Legislature has ever asked such expenses to be paid by the United States they are charges that ought to be paid from the Territorial Treasury but supposing that you have no funds in your Territorial Treasury, is one reason which induced me to sanction the payment and another, is on reference to the books of the Treasury, I find that there is considerable Amount to the credit of the Appropriation for pay of the Legislative & Contingent Expenses of the Territory perhaps more than will be expended during the next fiscal Year and because the expenses with Territory shall have been more economical than in any other Territory.

The charge of $60 & 24 by the Sergeant at Arms for arresting — absent Members, should be paid- the Sergeant at Arms is entitled by law to $3. per day which is all that can receive —

I subscribe the Duplicate of Letter & Salary.

I am respectfully
Elisha Whittlesey
Comptroller.

Treasury Department
First Auditors Office
March 22d 1853

Sir

I have this day received your letter of 21st January last together with your abstract & Vouchers for disbursements on account of Legislative Expenses of the Session Commencing 6th day of December 1852 & ending 11th day of January 1853 - Your abstracts And Vouchers for partial payments heretofore received have been duly reported to the 1st Comptroller of the Treasury for his decision thereon that being the usual course in regards to all accounts adjusted in this office.

It is but an Act of Justice to Command you for the regularity & accuracy with which all your accounts have been rendered to this office.

Respectfully
Your Obt Svt
J. L. Smith
Auditor

J. Wm Greiner Esqr
Secretary of the Territory of
New Mexico Santa Fe

Treasury Department
Comptrollers Office
March 24th 1853

Wm Greiner Esqr
Secty of the Territory
of New Mexico
Sir

Your Account as Secretary of the Territory of New Mexico for disbursements on account of the Legislative Assembly of said Territory, at the Session Commencing on the 6th day of Decr and ending on the 26th of December 1852 has been adjusted at the Treasury, and a balance of $12.746.22/100 found to be due from you to the United States, instead of $12.584.42, as stated by you, making a difference of $162.80 which arises by the disallowance of that Amount as an illegal charge, paid to Juan Climaco Pajia, for services as a Clerk in your Office.

Very Respectfully
Elisha Whittlesey
Comptroller.

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Treasury Department
Comptrollers Office
April 8th 1853.

Hon Greiner Esq.
Secretary of the Territory
New Mexico

Sir

Your letter of February 28th has been received endorsing several accounts of Nesbett Collins Hepburn & Co. for printing binding &c one for printing and binding Revised Statutes, dated February 28th 1853 amounting to the sum of $953. 50
on which there is credited $250. one for printing Blank Commissions $ 13. 50
And one for printing proclamation of Governor in Spanish and English $ 21. 50

All dated in July 1853.

I see no objection to the accounts and if all the services have been rendered as charged, you are authorized to pay them, And have them duly receipted. Mr Collins writes that the Journals for neither house for the first session of the Legislature have been printed, if such is the case, you are hereby authorized to have them printed on the same terms as the Comptroller has heretofore authorized you to pay for other printing. The laws as printed for the last session, have been received and the work dispears to be very well done.

Very Respectfully
E. G. Learned
Asst Comptroller

Santa Fe N. M. May 28th 1853.

Thomas L Smith Esq.
Sir:

I have this day turned over to my worthy succesor in office Wm S. Messervy Esq. all the books papers furniture &c. belonging to the office of Secretary of this Territory.

I have also squared up all the business as far as in my power & send you the Balance of my vouchers which I trust may prove as satisfactory as the former ones.

I trust the administration of Mr Pierce may not prove a "failure" although he has committed the "aggregrious blunder" of "not" availing himself of my invaluable services.

Yours with his head off
John Greiner

P.S. As I shall leave this portion of the Lords Moral vineyard in the Mail, I have a "lively hope" of beholding the light of your Countenance, about the time of your receiving this Epistle

J.G.

Office of the Secretary of the
Territory of New Mexico
Santa Fe May 28th 1853

Sir

Herewith you will please receive my Bond with approved Securities. On the 11th Inst I acknowledged receipt of my Commission & caused the Department of State of my acceptance of the same. On the 19th of April I transmitted from St Louis to The Hon Comptroller of the Treasury, Certificate of my Oath of Office. I have this day entered upon the discharge of my duties as Secretary of the Territory of New Mexico & relieved my predecessor of the labors & responsibilities of the Office

Mr. John Greiner late Secretary of New Mexico has this day paid over to me Four Thousand dollars ($4000) for which I have given him a receipt signed in duplicate

You will please remit me by Mail Treasury draft for amount of my Salary from date to the first of July which will be for the balance of the Second quarter due me after paying my predecessor the amount of his Salary to date. In future I would request that my Salary may be held subject to my drafts for amounts corresponding with my quarterly dues.

I beg leave to submit for your consideration the following estimate for funds required for the disbursements of this Office viz.

For Printing the Journals of the Second Session of the Legislative Assembly now contracted for & nearly ready for delivery		$3100.00
For pay of four extra Clerks employed at the last Session of the Legislature ordered to be paid by Act No 49 passed at the Second Session of the 32d Congress 4 Clerks 40 days each 160 days @ $3		480.00
For Printing the Journals of the last Session of the Legislature		3100.00
For Expenses of the next Session of the Legislative Assembly based upon Act No 49 passed by the Second Session of the 32d Congress. Of the U. S. "An act to provide for additional Clerk hire during the Sessions of the Legislative Assembly of the Territory of New Mexico viz.		
39 Members of the Legislative Assembly 60 days each 2340 days @ $3 per day		7020.00
16 Officers 60 days each 960 days. @ $3 per day		2880.00
For Mileage of Members.		800.00
For Contingent Expenses		2620.00
For Printing the Laws	$1500	
" " Journals	3500	5000.00
" Expenses of the Secretarys Office		500.00
" Secretary Legislative Expenses.		500.00
		$ 26000.00
Amount of Each on hand		$ 4000.00
		$ 22000.00

Upon this estimate I have this day drawn a draft on the United States Treasury at ten days sight to the order of John C Abbott for Fifteen Thousand Dollars ($15000) which I trust will be paid, as this Amount with the four thousand received from my predecessor will fall short one thousand dollars of the Amount of my Bonds & Securities. I am aware that the usage of the Department has been to remit Treasury Drafts which mean the risk of passing twice over the plains before they can become available, as it is at this time and will be for some time to come a matter of great difficulty to convert Large treasury drafts into Cash; by paying this draft I can draw on my Agent for such small sums as may be needed & relieve this Department of all responsibility in transmitting the funds. Besides, I know, Governor Boreland on his arrival at this City deem it advisable to call an extra Session of the Legislature (which he is authorized to do by Act. No. 51. of the 2d. Session of 32d Congress of the United States) I should find myself without funds to meet the Emergency, unless this draft is paid. When I shall have sent vouchers sufficient to cover the balances of the Estimate Treasury drafts may be forwarded to supply the deficiency

As the Legislature Assembly failed to order the printing of the Journals of its last Session I shall not contract for the same, nor for the printing of the Journals of the next Session, until instructed by you to that effect

Please inform me at your earliest convenience, not only with regard to the printing of the Journals of the last session but also whether I will be authorized to contract for the printing of the ~~future~~ Journals of the future Sessions of the Legislature Assembly when the same shall have concluded their Sessions

Your directions to my predecessor under date of April 8th to have the Journals of the first session of the Legislative Assembly printed, cannot be carried into effect. as there was not ~~any~~ record preserved or Kept of the Journals of either branch of the Legislative Assembly for its first Session,

I have the honor to be
Most respectfully Yours

To the Hon.
Third Comptroller
of the Treasury
Washington City
D. C.

J. M. D. McIvory
Clerk of the Territory & Recorder

Office of the Secretary of the
Territory of New Mexico
Santa Fe May 28th 1853.

Sir

I have this day transmitted to the Hon. Comptroller of the Ust. Treasury at Washington City. an estimate for funds required for the disbursements of this Office

Upon the same I have drawn a draft upon you dated Santa Fe May 28th 1853. at ten days sight to the order of John L. Abbott. for Fifteen Thousand Dollars. ($15000) which I trust will be paid

I have the honor to be most
Respectfully Yours
M. S. Messervy
Secty of the Territory of New Mexico

To the Hon
Secretary of the Treasury
Washington City
D. C.

Santa Fé N. M. May 28th 1853.

Hon. Elisha Whittlesey
Sir.

I have this day handed over to my Successor in Office all the Books- papers furniture &c. belonging to the Office of the Secretary of New Mexico.

I have also turned over-One- "four Thousand dollars Treasury Draft for which I have taken his receipt in Duplicate.

All the business of the office as far as I was concerned has been squared up and my Vouchers forwarded by this Mail

The balance I own over the Books, will be delivered over to you as soon as my accounts are settled which I trust will be speedily.

Yours
Wm Greiner

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Secretaria del Territorio
Santa Fé Junio 25, de 1863.

Señor Dn. Jose Mª Mieral y Pino,
Los Algodones.

Muy Señor mio:

Ciertos Documentos firmados por V. como Juez de Paz de los Algodones, han sido presentados en esta oficina para autorizarlos; pero no hallandose el nombre de V. registrado en esta oficina como Juez de Paz, es menester que V. tenga la bondad de mandarme Su Diploma de Alcalde, con el portador de esta, para registrarlo, y mandarlo luego, otra vez á sus manos.

Esto es de mucha importancia, y yo espero que Vd. no faltará de mandar dicho diploma, inmediatamente con el portador de esta Carta.

Wm. S. Messervy
Secty. Territory New Mexico.

Santa Fé June 29th 1863.
Secretary's Office of the
Territory of New Mexico

Dear Sir

Yours of the 3d ult. together with your oath of Office as commissioner for this Territory in New York. together with your signature and impression of your official Seal reached this City in safety and are now on file in this Office.

I have also received from you two dollars. ($ 2). being fee for copy of Act Appointing commissioners which I shall forward to my predecessor Jno Greiner Esq. who is now at his home in Columbus Ohio.

Most Respectfully Your
Ob. Servt.
Wm. S. Messervy
Secty. Territory New Mexico

Chas. S. Bushnell Esq.
New York City.

Santa Fé June 29th 1863

Dear Sir

I have received by last mail from Missouri a two dollar note on the Exchange Bank of New York, directed to you as Secty. of the Territory of New Mexico. Sent by Chas. S. Bushnell Esq. of New York city, being as he says. "for fees due you for copy of Act appointing commissioners" You will please find Enclosed said two dollars note and when received please acknowledge to me receipt of the same, I have written to Mr Bushnell informing of receipt of the same by me & that I had forwarded it to you.

Jno. Greiner Esq.
Columbus Ohio.

Respectfully
Wm. S. Messervy

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Territory of New Mexico
Secretary's Office Santa Fe
June 29th 1853.

Sir:

Since forwarding the estimates for funds required for the disbursements of this office which I had the honor of submitting for your consideration under date of the 28th ult.; the following Claims have been presented for payment Theodore D. Wheaton as Speaker of the House of Representatives and Juan Felipe Ortiz as President of the Council of the First Session of the Legislative Assembly of the Territory of New Mexico claim for Services rendered in said offices, for forty days each at three dollars per day Amounting to One hundred and twenty dollars each, These claims appear to me to be just and correct, inasmuch as the same services rendered at the second and third Session of the Assembly have been paid under instructions from you, as my predecessors have failed to pay these claims I now submit them for your consideration trusting they will receive your approval as the services were rendered and have never been paid for. conforming to your instructions under date of 7th October 1852. "as to expenses for printing the laws and Journals &c" I herewith enclose Collins & Keyhart & Co. bill for printing binding &c. of Five Hundred copies each in Spanish & English of the Journals of the second Session of the House of Representatives of the Legislative Assembly of the Territory of New Mexico, amounting to three thousand and fifty dollars ($3050) ——————

I also forward by this mail one copy each in Spanish and English of the said Journals that you may see that the work performed corresponds with the bill presented and is in conformity with the Contract, If this bill receives your approval please advice me at your earliest convenience that I may settle the same by taking a voucher in full, as under your instruction I have only paid a portion of the same on account.

Most Respectfully
Your obt. Servt.
Wm. S. Messervy
Secty Territory New Mexico

Elisha Whittlesey Esq.
1st Comptroller of the Treasury
Washington City
D. C.

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Sr. D.n Pablo Melendrez

Santa Fé Julio 15. de 1853.

Muy Señor mio:

Recivi su muy apreciable carta fecha 6. de Julio, con la cuenta contra el Gobierno General, por ciento y Veinte pesos $120. la cual fue presentada por mi al Gobernador, y el me ha pagado á mi la misma cuenta. Adjunto á esta comunicacion le mando una Libranza por Messervy & Nott en George Hayward de Fort Fillmore, por los mismos ciento y Veinte pesos. V.d me hará el favor de mandarme notician, tan pronto como v. halla recivido, la suma de dinero arriba espresado para mi conocimiento.

Sin otro objeto, soy Sr. muy respetuosamente su

Obediente Servidor

William S. Messervy.

Secty. Territory New Mexico.

Secretary's Office
Territory of New Mexico
Santa Fé July 30th 1853.

John Greiner Esq.
Columbus
Ohio

Sir

Enclosed you will please find copy of a letter received at this office by the last Mail from Independence-please inform me how the suspended & other items were finally adjusted

Respectfully Yours
Wm. S Messervy
Secretary Territory New Mexico.

Secretary's Office
Territory of New Mexico
Santa Fé July 30th 1853.

Sir.

Your letter dated May 24th/53. directed to John Greiner Esq. late Secretary of the Territory of New Mexico was received by the Mail of this Month and a copy of the same has been forwarded to Mr. Greiner who left. here for his home (in Columbus Ohio) on the first of June last.

When Mr Greiner left here he proposed going at once to Washington to settle his accounts and from [illegible] I would be induced to write to you if you would inform me how

these Suspensions and Stoppages are finally adjusted, as the only rules or guides for payments in this Office are the instructions from your Department and the approved and allowed accounts of my predecessors. If precedents are not to be the guides in making my payments I shall be much perplexed in discharging my duties as a disbursing officer of the Government. Under instructions from your department Mr Allen the first Secretary of this Territory paid the public Translator five hundred dollars for his services in the Legislative department of this Territory - following this precedent Mr Greiner his successor paid the same Amount to Mr Ellison for the same services rendered the following year do with the accounts of J. Elinario Tapia which were allowed and passed during the term of service of Mr Allen, with this difference, under Mr Allen his services as Porter on the Office of the Secretary of the Territory, were allowed. Whilst Mr Greiner paid him for the same Services but took, his voucher for services as Clerk to the Secretary.

This man has been attached to the Secretarys office for the last years in the capacity of Porter and his services as such can not be dispensed with as he writes Spanish and Copies very well in English Mr. Greiner in addition to his services of making fires Sweeping the Office &c, - employed him as a Copying Clerk during his unoccupied time, and took his voucher as a Clerk when he should have taken it as a Porter, I would respectfully recommend that he be allowed for his services as Porter in the Office of the Secretary of the Territory of New Mexico, twenty five dollars a month ($25-) as he cannot subsist upon less and his whole time is given to the office, besides he is faithful, honest and industrious, qualities somewhat scarce in this country.

I have the honor to be
Most Respectfully
Your Ob.t Serv.t
W. L. Messervy
Secretary Territory New Mexico.

Hon. First Comptroller
of the Treasury,
Washington City.
D. C.

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Secretary's Office, Territory of New Mexico Santa Fé August 29th 1853.

Hon Elisha Whittlesey
First Comptroller of the
Treasury.
Washington City.

Sir

Your letter of the 15th July has been received advising me that ten thousand dollars only, was paid on my draft of May 28th for fifteen thousand dollars, which amount of ten thousand dollars I have placed to the credit of the United States. This sum with the four thousand dollars. I received from my predecessor, will be more than sufficient for the disbursements of this office until the next meeting of the Assembly, which will take place about the first of December next. When I drew for the fifteen thousand dollars it was for the purpose of securing in time a supply of funds to meet the Legislative expenses of this Territory, And to provide for the contingency of an extra session of the Assembly which the Governor of this Territory, was authorized to call. (See chapter 150 2 d. Session of the 32 d. Congress) but as no extra session has been called no harm or inconvenience has resulted from your decission with regard to my draft. I would now call your attention to the estimates for funds, required to meet the expenses of the next Legislative Assembly. Contained in my letter of the 28th May last, And respectfully submit to your own good Judgment, when and how the balance of the fifteen thousand dollars I drew for, shall be sent to me.

The four thousand dollars turned over to me by my Predecessor will be nearly exhausted by the payment of the bill for printing the Journals, which was Contracted for by my predecessor And sanctioned by you, & by the payment of the dues, to the extra Clerks, of the last session of the Assembly. With regard to this item in my estimates, $180. for pay of four extra Clerks &c you refer me to the "Organic Act" And to the instructions from your Office to the former Secretaries of this Territory, permit me respectfully to call your attention to Sec. 3d Chapter 118 of the Acts of the 2d. session of the 32 Congress. Since you have thrown a doubt over the legality of this item in my estimates, I shall decline paying the same until Authorized by you to do so, please inform me at your earliest convenience after examining the law refered to, whether, I shall or shall not have your approval for the payment of the same, You say I have estimated twice, $300, for printing the Journals of the Second and last Sessions of the Assembly," permit me to explain,— When I entered upon the discharge of the duties of my office I found that my predecessor had Contracted for the printing of the Journals of the 2d Session of the Assembly & that the work was nearly ready for delivery, I according by placed the amount in my estimates, and supposing that the printing of the last or third Session, would receive your Approval I estimated for it, & also for the printing of the Journals of the Session to Commence in December next, but as you have decided that the Journals may not be printed

unless the Assembly so order, I would ask, should the next Assembly order the printing of the Journals of the last or third Session as well as the Journals of their own Session, will I receive your sanction for Contracting for the printing of the same? If so I would suggest that these two items, remain in my estimates as I have no doubt, the next Assembly will so order. By the July mail under date of June 29th I sent you Collins & Repharts bill for printing, amounting to 3050- for your Approval, According to your instructions, I shall not therefore be able to close up my accounts for the third quarter, unless this bill with your Approval reaches me by the September mail.

I would respectfully suggest, that whatever funds you may deem precedent or necessary to send me to meet the expenses of the next Assembly, may be sent immediately on receipt of this, in order to avoid the risk and delay which attends our monthly mails, in crossing the plains in the winter months, And also, whenever you send Treasury drafts. that they be for sums not exceeding one thousand dollars each, as it is very difficult in this country to sell drafts for larger Amounts.

In closing this communication, allow me to Assure you that I shall never make requisitions, exceeding the amount of my bond and securities, And that I never desire to have in my possession "public funds" except when I believe I will have immediate necessity to disburse them in my Official Capacity, And that when ever I depart from the usages of the department, as in the instance of drawing the draft for the fifteen thousand dollars, it will be from a real, or supposed necessity, growing out of the exigency of the occasion and with the view to the faithful discharge of my duty as a disbursing Officer of the government.

I have the honor to be most respectfully Your Obt. Servt.
Wm. S. Messervy
Secty Territory of New Mexico.

Secretarys Office Territory of New Mexico
Santa Fé August 29th 1853.

Hon. Elisha Whittlesey
Comptroller of the Treasury
Washington City

Sir

I have this day drawn a draft at sight to the order of John C. Abbott on the Secretary of the Treasury for Four hundred and fifty dollars ($450.00) being for amount of one quarters salary due me Commencing July 1st. 1853 and ending, September 30th. 1853, both days included, In conformity with the requirements of the Circular from your office dated June 24th 1853 I hereby inform you, I have not been, nor do I intend to be absent from this Territory or from my duties during the quarter for the Salary of which, I have drawn the above described draft.

I have the honor to be most respectfully your obt. Servt.
Wm. S. McSeeny
Secty Territory of New Mexico

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Santa Fe August 29th 1853.

Sir

I have received the following Treasury Drafts payable to my order by the Apt. Jr. Fort Louis.
No 5180 on Fr. Warrant No 171 for $ 163.18.

Your Obedient Servant
Wm. M. Messervy
Secty Territory New Mexico

S. Casey Esq.
Treasurer of the United States.

Secretarys Office of the
Territory of New Mexico.

Santa Fe September 20th 1853

Richard Campbell Esqr
Judge of Probate of the County
of Dona Ana

Sir

Herewith you will find the Commissions of the Civil Officers elected in the County of Dona Ana on the fifth day of the present month which you are requested to deliver, at the same time, requiring that each Officer before entering upon the discharge of his duties complies with the requirements of the law in giving the necessary securities

Should any resignations or deaths occur among the Civil Officers of your County you will immediately forward to this office, the Certificates of the election of their successors, that their Commissions may be promptly sent to them

Yours &c

Wm. M. Messervy
Secty. Territory New Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fe September 21st. 1853.

Hon. Jose Manuel Gallegos.
Alburquerque

Sir,-

I have the honor to enclose herewith the Certificate of your election as Delegate of the Territory of New Mexico to the thirty-third Congress of the United States of America. Please acknowledge at your earliest convenience the receipt of the same

I have the honor to be
Most respectfully Yours.

Wm. S. Messervy.
Secty. Territory of New Mexico

Oficina de la Secretaria
del Territorio de Nuevo Mejico
Santa Fé Septiembre 20 de 1853

Señor D.n Francisco Lopez, Juez de Pruebas del Condado de San Miguel
" " Jose Eulogio Ortiz " " " " " " Santa Fé
" " Jose Benito Martin " " " " " " Taos
" " Jose Maria Chavez " " " " " " Rio Arriba
" " Jose Andres Sandoval " " " " " " Santa Ana
" " Julian Perea " " " " " " Bernalillo
" " Francisco Xavier Sanchez " " " " " " Valencia
" " Pedro Baca " " " " " " Socorro
" " Richard Campbell " " " " " " Doña Ana.

Señores:

Adjuntas hallará v. las comisiones de los oficiales civiles electos en el Condado de (Sus cargo,) el dia cinco del corriente mes, las cuales le suplico á v. se sirva entregar, y al mismo tiempo, debe v. requerir que cada oficial antes de entrar en el ejercicio de sus deberes, cumpla con lo requerido por la ley, en dar las fianzas necesarias.

Si resultare que resignare, ó muriere algun oficial civil en su Condado, remitirá v. inmediatamente á esta oficina, el certificado de la eleccion de su sucesor, para que sus Comisiones puedan ser despachadas cuanto antes.

Soy muy respetuosamente
Su obediente servidor
Wm. S. Messervy
Secty. Territory New Mexico

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Secretary's Office of the
Territory of New Mexico
Santa Fé September 24th 1853.

Hon Philip Allen
Gov. of the State of
Rhode Island &c.

Sir

I have the honor to acknowledge the receipt of a printed copy of "Acts & Resolves of the General Assembly of the State of Rhode Island and Providence Plantations, passed at the May Session, 1853" and am directed to tender the thanks of the Governor of this Territory, for the same

I have the honor to be
Most Respectfully Yours
Wm S. Messervy
Secty. Territory New Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fé September 24th 1853.

Milnor Rudolph Esq.
Notary Public
Fort Union

Sir

You will please forward to this office your bond, according to the requirements of the 7th & 8th Sections of the Act "Establishing the Office of Notary Public" Approved July 17th 1851.

I have the honor to be
Most Respectfully Yours.
Wm S. Messervy
Secty. Territory New Mexico

Secretary's Office of the Territory of New Mexico
Santa Fé September 24th 1853.

David V. Whiting Esq.

Sir

I have the honor to enclose herewith, your Commission as Notary Public for the County of Bernalillo.

You will please forward to this office at your earliest convenience your bond, according to the requirements of the 7th & 8th Sections of the Act "Establishing the Office of Notary Public," approved July 17th 1851.

I have the honor to be most Respectfully Yours
Wm S. Messervy
Secty. Territory New Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fé September 24th 1853.

His Excellency the Governor
of the State of Florida
Sir.

I have the honor to acknowledge the receipt of "One copy each of the Journals of the Senate and Ho. of Reps. Florida Legislature (6th Session)" and am instructed to tender the thanks of the Governor of this Territory for the same

I have the honor to be Sir,
Your Obedient Servant
Wm. S Messervy
Secty. Territory New Mexico

Secretarys Office of the
Territory of New Mexico
Santa Fe Septr. 30th 1853.

Hon First Auditor of the Treasury
Washington City.
Sir

I herewith transmit for your examination, Vouchers, Abstracts, & account Current to date of Septr. 30th. 1853 showing a balance of United States funds now in my hands of Ten Thousand six hundred Eighty one dollars & 75/100. $10681.\frac{75}{100}$

I have the honor to be
Most Respectfully
Your Obdt Servt.
Wm S. Messervy
Secty. Territory New Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fe September 30th 1853

Hon. Elisha Whittlesey
First Comptroller of the
United States Treasury
Sir

Your letter of the 4th of August has been received. I have this day transmitted to the first Auditor of the United States Treasury Vouchers, Abstracts & Accounts Current to date of September 30th 1853 showing a balance of the United States funds now in my hands of Ten Thousand Six Hundred and Eighty, One dollars & 75/100 ($10681.\frac{75}{100}$)

Under date of August last, I respectfully called your attention to the

And fifty dollars. for amount of One quarters salary Commencing on the first day of October 1853 and ending on the thirty-first day of December 1853 both days inclusive. and I hereby certify that I have not been, nor do I intend to be absent from the Territory or from my duties, during the quarter for which the above described draft is drawn

I have the honor To be
Most respectfully
Your Obst. Sevt.
Wm. S. Messervy,
Secty Territory New Mexico.

Secretary's Office
Territory of New Mexico
Santa Fé November 14th 1853.

Richard Campbell Esq.
Judge of Probate for the
County of Doña Ana.

Sir:

Herewith you will please find the commission of J. Lujan Elected Justice of the Peace for the Precinct of Las Cruces in the County of Doña Ana. In future when Justices of the Peace & Constables are Elected, it will not be necessary to forward the Poll Books, to this Office, but simply forward your Certificate informing me who is Elected & return you the Poll Book, & would call your attention to the fact, that it is not signed by the Judges of the Election

I have the honor to be
Most respectfully
Your Obdt Sevt.
Wm. S. Messervy
Secretary of the Territory of N. Mexico.

Proclama

David Meriwether

Gobernador del Territorio de Nuevo Mejico

A todos á quienes pertenecíere.

Por virtud del poder que me es conferido por la Ley. Yo David Meriwether Gobernador del Territorio de Nuevo Mejico, por esto, ordeno y dirijo que sean abiertas las Elecciones en los varios precintos de votacion en el segundo Distrito, Compuesto de los Condados de Santa Fé y San Miguel de este Territorio, el segundo lunes de Diciembre proximo, para la Eleccion de un miembro para el Consejo Legislativo del Territorio de Nuevo Mejico para llenar la vacante ocacionada por el fallecimiento del Hon: José Francisco Leyva.

Los Jueces de Pruebas y todos los demas que sean requeridos de auxiliar y asistir en dicha Eleccion, son referidos á la Ley de Eleccion de este Territorio para su gobierno, en el desempeño de sus respectivos deberes.

Hecho en la Ciudad de Santa Fé hoy dia veinte y ocho de Noviembre en el año de nuestro Señor de mil ochocientos cincuenta y tres.

D. Meriwether

By the Governor
Wm S. Messervy
Secty of the Territory.

Secretary's Office of the
Territory of New Mexico
Santa Fé November 29th 1853.

To the President
of the United States.

Sir

In pursuance with the requirements of the 4th Section of the Organic law of this Territory I have the honor herewith, to remit a copy of the acts and proceedings of the Governor aforesaid, in his executive department

I have the honor to be
most respectfully
Your obdt. Sont.
Wm S. Messervy
Secty Territory New Mexico

Santa Fe Novr 29. th 1853.

Sir:

I have received the following Treasury Draft payable to my order by the act Treasurer US at St Louis.

No. 6286 on Treasy Warrant No 1262 pt for $ 1.000.—
" 6287 " " " " 1.000.—

No. 6288. on Treasy Warrant No 1262 pt for $ 1.000—
" 6289. " " " 1.000=
" 6290. " " " 1.000=
" 6291 " " " 1.000=

Your obedient servant
Wm. S. Messervy
Secty Ty New Mexico

Samuel Casey Esq.
Treasurer of the United States.

Secretary's Office of the
Territory of New Mexico
Santa Fé November 30th 1853.

Hon Elisha Whittlesey
First Comptroller of the
Treasury.
Washington City

Sir

Your letter of the 4th of October last has been received advising of the transmission to me of Drafts on Saint Louis No. amounting to Six thousand dollars ($6000) to pay the expenses of the Legislative Assembly of this Territory. which with what I have on hand will be ample to meet all demands, except for a portion of the printing expenses. which will not however, be wanted until spring. The said Six thousand dollars came safely to hand and I have acknowledged the receipt of the same, to the Treasurer of the United States. With regard to the pay of the four extra Clerks Authorized by the act of March 3d 1853 I would say that they were paid by our Territorial Treasurer, in February last who now claims to be reimbursed for the same under the act above refered to. I will obtain from the Treasurer the warrants upon which he made those payments. & submit the same for your examination by the next Mail which leaves here on the 15th of next month.

I have the honor to be
Most respectfully
Your Obdt Sert.
Wm. S. Messervy.
Secretary Ty. New Mexico.

Secretarys Office of the
Territory of New Mexico
Santa Fé December 15th 1853.

Hon Elisha Whittlesey
First Compt. of the Treasury
Washington City

Sir

I herewith inclose the vouchers for $480.00 as I have received them from the Treasurer of this Territory. The act of the Legislative Assembly of New Mexico of which I send you herewith a copy. will explain why they were paid by him, he now demands of me, (under the 3d Sec. of the act of Congres "to provide for additional Clerks &c of the Territory of New Mexico" Approved March 3d. 1853.) to be reimbursed All of which I now submit for your Consideration. According to your instructions of 7th October. Should your decision be favourable to the payment you will please inform me in what manner I shall take receipts and from whom.

I have the honor to be
most respectfully Your
Obdt Servt.
Wm. S. Messervy
Secty Territy N Mexico

House of Representatives
December 14th 1853

Sir.

The following Resolution was this day adopted by this House:

"Resolved; That the Chief Clerk of this House require of the Secretary of "the Territory to Contract an engraving for this House Containing the "likenesses of George Washington, the Father of his Country, and the other "Presidents of the Union, and that said engraving be placed upon "the wall immediately behind the Chair of the Speaker of this House, "and that the same be paid for, out of the funds appropriated for "this House."

Very respectfully
Your Obed't Servant
David Y. Whiting
Chief Clerk H. of R.
Ter. N. Mex.

Hon Wm. S. Messervy
Secretary of the Territory.

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Secretarys Office of the
Territory of New Mexico
Santa Fe December 16th 1853.

Hon. Elisha Whittlesey
First Compt. Treasury
Washington

Sir

I have just received the enclosed Copy of a Resolution adopted by the House of Representatives of the Legislative Assembly of this Territory & I have declined complying with its requirements until I should have your approval for so doing.

I have the honor to be
most respectfully Your
Obdt. Servt.
Wm. S. Messervy
Secty Territy N. Mexico.

Territory of New Mexico
House of Representatives
December 22d 1853.

Sir The following Resolution has been adopted by this House.

"Resolved: That the Secretary of the Territory be required to furnish this House, immediately, with whatever original instructions he may have received from the Secretary or the First Comptroller of the U. S. Treasury, in reference to Public Printing"

Very Respectfully
Your Obed.t Serv.t
David V. Whiting.
C. C. H. of R.
Terr. N. M.

Hon. Wm. S. Messervy
Secy. of the Territory
of New Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fé December 22nd 1853.

Hon. Speaker of the House of
Representatives of the Territory of N. M.

Sir

I have the honor to acknowledge the reception from the Hon. House of Representatives of the following "Resolution" Resolved, That the Secretary of the Territory be required to furnish this House, immediately with whatever original instructions he may have received for the Secretary

of the First Comptroller of the U. S. Treasury, in reference to Public Printing"

I conceive there would be an impropriety in my complying with the requirements of this Resolution, in as much as the original instructions and communications from the first Comptroller of the U. S. Treasury are deposited among the records of this office and cannot be taken therefrom by a Resolution of the House; besides they relate to other matters, in which the House can have no interest and over which they have, I apprehend no control. Should the Hon House of Representatives request of me copies of such portions of my instructions as relate to the expenditures of the money entrusted to my charge, and for which I am accountable only to the Secretary of the Treasury of the U.S. for the manner in which said Money shall have been expended. I would most cheerfully comply with such request.

With sentiments of the highest regard I have the honor to be most respectfully
Your Obt. Sevt.
Wm. S. Messervy
Secty Territy N. M.

Secretary's Office of the
Territory of New Mexico
Santa Fé December 27 de 1853

Hon: Elisha Whittlesey
First Comptroller of the
Treasury: Washington City.
Sir.

In your Communication to the Hon: James Guthrie Secretary of the Treasury. dated October 4th last referring to a Communication of I.S. Davenport Chief Justice. Kirby Benedict associate Justice and Myself Secty of the Territory of New Mexico "requesting that Allowance be made to us for transportation to Santa Fé &c." a Copy of which has been received. I find the following paragraph. to wit: "It is understood by me that Mr Messervy is and has been for some years. an inhabitant of the Territory of N Mexico." It is true that I had been for some years a resident in New Mexico, and the State of Chihuahua, adjoining, but for a period of more than Eighteen months previous to my acceptance of the appointment of Secretary of this Territory, I had resided with my family in Salem. — Massachusetts, nor I made this explanation, not with the view of objecting to your decision, on this subject matter of

the Communication which I signed, but to Correct any misconceptions you may have entertained as to the propriety of my joining with the other gentlemen in asking for an allowance to which I could not possible have had any claim had, the Circumstances of the case been as you believed them to be.

I have the honor to be
most respectfully
Your obdt. Sont.
Wm S. Messervy
Secty Terry. N. Mexico.

Agreement Made and executed this fifteenth day of December As Do. 1853 Between William S. Messervy Secretary of the Territory of New Mexico, of the one part: And James L. Collins Proprietor, and William W. H. Davis Editor of the Santa Fe' Gazette of the other part.

The said James L. Collins and William W. H. Davis agree to do all the Public Printing that may be required to be done for the Territory of New Mexico between the signing of this agreement and the meeting of the Legislature in December 1854, for the prices fixed by the Comptroller of the Treasury Department in his letter of the third of July As. Do. 1852 in relation to the printing of the Journal, addressed to the Secretary of the Territory. And the said William S. Messervy the Secretary aforesaid, doth agree on his part to give all the Public Printing, for the time specified, and at the rates specified to the said Collins and Davis said Public Printing is to be done in a workman like manner and completed with as much dispatch as possible, and the same prices, only, are to be paid for the small, as for the large job. This Contract and agreement is subject to the approval of the Comptroller of the Treasury Department.

Witness our hands and seals the day and year above written.

Signed and Sealed in presence of
in
Charles Blummer
Juan Elimas Tapia

Wm S. Messervy (Seal)
Secty Territy New Mexico
S. L. Collins (Seal)
W. W. H. Davis (Seal)

Secretarys Office of the
Territory of New Mexico
Santa Fé Dec. 28th 1853.

Hon: Elisha Whittlesey
First Comptroller of the Treasury
Washington City

Sir

I herewith transmit a Contract entered into by me with Stones L. Collins and William W. H. Davis for all such printing as may be at the disposal of this Office from the date of said Contract, until the commencement of the next Session of Legislative Assembly of this Territory. The two branches of the Assembly now in session have made several requisitions on me for small jobs of printing which would have been charged at higher rates than the Contract price, had they been paid for separately. I have therefore made the enclosed Contract, which is subject to your approval, would respectfully recommend it to your Early & favourable Consideration. As the Assembly is now in the midst of its session. I shall not send on my Accounts until its close. Most respectfully
Your Obdt Sont
Wm. S. Messervy
Secty Territy New Mexico.

Oficina del Secretario
Nuevo Mejico
Santa Fé Enero 14 de 1854.

Don Francisco Lopez
Juez de Pruebas del
Condado de San Miguel

Señor

Habiendo puesto sus dos Comunicaciones y declaracion de Don José Guadalupe Salazar, en el Conocimiento de S. E. el Gobernador, soy dirijido para decir á V. que habiendo su Excelencia tomado en Consideracion sus atentas Cartas fechas Enero 8 de 1854 se ha resuelto diciendome que haga á V. presente, que por ahora no puede poner ningun obstaculo, á las invaciones de Yndios que circulan ese Condado, por no tener por la presente amplias facultades para poderlo hacer, pero que lo mas pronto que sea posible, Comunicará estos acontecimientos al Comandante General, de este Departamento Militar, de quien se espera que inmediatamente pondrá remedio contra estos males.

Sin otro objeto, soy muy Respetuosamente su obediente servidor
Wm. S. Messervy
Secty. Terty. N. Mexico

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Secretary's Office
Territory of New Mexico
Santa Fe January 31st 1854

Hon First Auditor
of the Treasury
Washington City

Sir.

Under date of the 30th September last I had the honor to forward to your address Vouchers abstracts and account Current for the Quarter ending on that day. Since that time I have not received from you the acknowledgment of the receipt of the same. If they have been received by you. I would respectfully ask that you would advise me at your earliest convenience, & relieve me of the anxiety I now have with regard to them

I have the honor to be
Most respectfully
Your Obdt. Svnt
Wm. M. Messervy
Secty Territy N Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fé January 31st 1854

Hon Elisha Whittlesey
Comptroller of the Treasury
Washington City

Sir.

I herewith enclose a number of the Santa Fé Gazette Containing an editorial article on the subject of the "Public printing of this Territory" to which I would respectfully call your attention, as the whole matter is there truly set forth. Since the publication of that article a Joint Resolution of the two Houses of the Assembly has been passed and was this day approved, placing the printing of the Journals in my hands. I have the honor herewith to enclose, a Copy of the same for your Consideration. The Assembly having now ordered the printing of the Journals; and under the authority of your instructions (which with the laws, are the only guides for my action in the premises) I shall as soon as they are prepared. place them in the hands of the Party with whom I have Contracted for the printing My former requisitions on your Department for funds were made without reference to the printing of the Journals, this Joint Resolution will require an additional requisition which I have not now, time to prepare as the mail will soon close. The Assembly finished its session the day after tomorrow, when I shall make up my accounts & forward them by the next mail (which leaves here March 1st) to the first Auditor of the

Treasury. In the mean time I would respectfully request that you send me immediately Treasury warrants for Three thousand dollars. ($3000) that I may be able to meet the expenses for printing the Journals as they are finished,- the balance that will be required can be sent when you receive my accounts for the expenses of the Session now being held. And the requisitions for printing the Journals which will accompany them. On the 30th of September last I forwarded to the First Auditor, My Vouchers &c for the Quarter ending that day, amounting to $3318 25/100- the reception of which I have not yet been advised of,- if they have been received and approved the three thousand dollars I now ask for, will make the amount ___ received by me & not accounted for less than the amount of my bonds & securities

I have the honor to be
Most respectfully
Your obdt. Servt
Wm. S. Messervy
Secretary Terrty N. Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fé February 4th 1854

David V. Whiting Esq.
late Chief Clerk House
of Repr. Legislative Assembly
Territory new Mexico.

Sir

You will please delivier to the Bearer Mr. Jose Gutierres for me, all bills or parts of bills, and all other records belonging to the proceedings of the late House of Representatives of the Legislative Assembly of this Territory, including the minutes of the Journal of said House of Monday 30th ultimo. All of which by the organic law and An Act of the Legislative Assembly of this Territory approved January 6th 1852 are made part of the records of this Office.

Respectfully
Your obdt Servt
Wm. S. Messervy
Secretary Terty N Mexico.

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Secretary's Office of the
Territory of New Mexico
Santa Fe February 4th 1854

S. M. Baird Esq.

Sir

Having been informed by Mr David V. Whiting late Chief Clerk of the House of Representatives of the Legislative Assembly of this Territory, through Mr Jose Gutierrez, that you have in your possession certain Journals and other papers and documents which are a part of the original records and proceedings of the said House of Representatives, and which are now by the Organic Law of this Territory and An Act of the Legislative Assembly approved Jany 6th. 1852. a portion of the records belonging to this Office. You will therefor please deliver the same to Mr Jose Gutierrez for me

Most Respectfully
Your Obt. Svt.
Wm. M. Messervy
Secty. Terry. N. Mexico

Secretarys Office of the
Territory of New Mexico
Santa Fe. February 4th 1854

Mr. David V. Whiting
late Chief Clerk of the
House of Representatives of the
Legislative Assembly of the
Territory of New Mexico

Sir

You will herewith please find enclosed. a copy of an Act. of the Legislative Assembly of the Territory of New Mexico approved February 3d 1854 entitled an "Act. Prescribing the offence and fixing the punishment for the retention of public records." to which I would respectfully Call your attention.

Most respectfully
Your. Obdt. Servt.
Wm. M. Messervy
Secretary Terry. N. Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fé February 10th 1854.

Hon James H. Quinn
President of the Legislative Council
Theodore D. Wheaton
Speaker of the House of Representatives
at Don Fernandez de Taos
New Mexico

Gentlemen.

I herewith send you by Mr O. R. Meriwether eight enrolled Bills, and three Joint Resolutions, with the following titles viz.

"Eight Chapters of an Act entitled an Act Defining Crimes and Punishments"

"An Act amending an Act approved Jany 6th 1852 creating two Senatorial Districts, in the Northern Senatorial District"

"An Act authorizing the President of the Senate and the Speaker of the House of Representatives of the Territory of New Mexico, to sign Enrolled Bill after the final adjournment of the Legislative Assembly."

"An Act providing for four additional Judicial Precincts in the County of San Miguel"

"An Act Creating a Board of Arbritrators"

"An Act declaring the jurisdiction to the Prefects and Justices of the Peace to punish those Children of the family who fail in respect to their Fathers"

"An Act amending the 11th Article upon appeals, of the Act of the Second Session, that designates the duties of the Justices of the Peace"

"An Act amending the Election law Approved July 20th 1851."

"A Joint Resolution Authorizing the employment of the Clerks of both Houses for four days after the adjournment of the Legislative Assembly."

"A Joint Resolution to employ additional Secretary's &c"

"A Joint Resolution, authorizing the Governor to appoint a person to receive the property of the Commissioners of Public Building.

To which I would respectfully request you to affix your official signatures, under the authority of the Act of the Assembly. for such purpose: The original Bills as passed by the Assembly bring on fill among the records of this Office.

Desirous of having the laws published at as early a day as possible I have deemed it necessary for the public good, that these Acts. should be signed and approved without delay.

You will see that two or more of the Chapters of the Act on Crimes & punishments are already signed. but as all but the first three Chapters, lack the enacting clause

it becomes necessary for you to erase your signatures to such Chapters as are Ignored, and affix them to the end of the Concluding or Eighth Chapter

Most Respectfully
Your Obdt Servt
Wm. S. Messervy
Secty Terry N. Mexico.

Secretary's Office of the
Territory of New Mexico
Santa Fé March 1st 1854

Hon First Auditor
of the Treasury. U.S.
Washington City
D. C.

Sir

I have the honor herewith to remit for your consideration, Account Current Abstracts, and Vouchers, of disbursements of funds appropriated, by Congress to defray the expenses of the Legislative Assembly of this Territory, being for a Session of sixty days, begun and held at Santa Fé on the fifth day of December 1853 and ending on the second day of February 1854, and would respectfully ask an early acknowledgement of the reception of the same.

I have the honor to be
most respectfully
Your Obdt. Servt.
Wm. S. Messervy
Secretary Territy N. Mexico

Secretarys Office of the
Territory of New Mexico
Santa Fé March 1st 1854

Hon Elisha Whittlesey
First Comptroller of the
United States Treasury.

Sir.

I have this day forwarded to the First Auditor of the U.S Treasury, Account Current Abstracts & Vouchers of disbursements of funds appropriated to defray the expenses of the Legislative Assembly of the Territory of New Mexico being for a Session of sixty days begun and held at Santa Fé on the first

day of December 1853. and ending on the Second day of February 1854.
The Vouchers for work & materials in preparing the Halls of the Assembly and the Committee Rooms, and putting in order the furniture of the same, previous to the meting of the Assembly, will be found to be approved by the presiding Officers of the Legislature. The certificates of requisitions of the Chief Officers of the Assembly which accompanies the Vouchers in Abstract C. will be found, on examination to cover all the Vouchers for purchases made during the Session of the Assembly. Voucher. No 19. Abstract C. will be explained by the Copy of the Act of the Legislature which is appended to it. In order to procure the publication of the laws at as early a day as possible I deemed it advisable to send the enrolled bills to Pau, to procure the signatures of the Presiding Officers of the Assembly, rather than submit the Territory to the delay, wich would otherwise have occured had I waited until both of those Officers had come to this City. With regard to the printing of the "Bill defining Crimes and punishments" (see Voucher No 22 Abstract C. Collins & Davis.) I Consented to the printing of this Bill for the use of the members of the Assembly because it was the most important Bill ever presented to the Consideration of the Assembly's of this Territory, a bill of its length could not have been as carefully examined and considered, as its importance demanded unless a printed Copy was placed in the hands of each member of the Assembly. The two branches of the Legislature ordered a large amount of other miscellaneous printing, which I declined to sanction believing that a compliance with their requirements would have been a useless expense upon the Treasury.

But believing that the Public good required the printing of this Bill, I accordingly upon a Resolution of the House of Representatives. (where the bill originated) placed it in the hands of the Printers. and when the work was completed. paid for the same, I send by this mail. one Copy each of the printing done, for your examination and approval. By an Act of the Assembly a copy of which I forwarded to you by the mail which left here Feby 1st 1854. All of the Journals of the different sessions of the Assembly not heretofore printed, are now ordered to be published. Upon examination I find that the Journals of both Houses of the first Session were kept in such a manner as to render them unfit for publication. as is also the case with the Journals of the Council of the 2d. and 3d Sessions. The Journal of the House of the 2d (Session) Session, has already been published leaving only. the Journal of the House of the 3d. Session and the Journals of the Council and House of Representatives of the Session just closed to be printed. These three Journals I have now in course of preparation for publication. I have also contracted for the printing of Eight hundred Copies of the laws of the Session just closed believing that number necessary for distribution. I wish me to submit to your Consideration that the Session just closed was one of sixty days duration, exceeding measurably 50 p. cent of expenses their

the former Sessions which were only of forty days duration, there were also at this Session six more Officers and attendants, than at the former Sessions. I have endeavored to keep the Contingent expenses within as economical a limit as the circumstances would admit of and whilst I have given to the members of the Assembly every facility in my power to promote their comfort & convenience I have at the same time carefully regarded the interests of the General Government whose disbursing Agent I am, and have paid no bill that was not legal proper necessary and reasonable in amount.

I would most respectfully ask that my accounts may be examined as soon as possible and that I may be informed of the result at your earliest Convenience

I have the honor to be
most respectfully
Your Obdt Servt
Wm. S. Messervy
Secretary Territy N. Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fé March 1st 1854

Hon First Comptroller
of the Treasury
Washington City
D. C.

Sir.

I herewith beg leave to submit for your consideration the following requisitions for funds for the disbursements of this Office

For payment of the extra clerks, employed at the Session of the Assembly of 1852-3. and now under advisement at your Department.	480. 00
For payment of the services of Juan Felipe ortiz President of the Council of the first Session of the Assembly, and which I am instructed to pay and shall do so as soon as he returns to this city	120. 00
Balance due to Samuel Ellison when he shall have finished translating the Journals of the Session just closed	200. 00
For preparing the Journal of the Senate for publication	150. 00
For preparing the Journal of the House for publication	150. 00
	$1100. 00.

Amount brot. forward	$1100. 00
For preparing the Journal of the House of 1852-3 for publication in Spanish & English	300. 00
For printing the Journal of the Council	3000. 00
" " " " " " House	3000. 00
" " " " " " House of the Session of 1852-3	3000. 00
For printing the laws of the Session just closed	2000. 00
For Expendes of the Secretary's office	300. 00
	$12.700. 00
Deduct amt of funds now in my hands as per Account rendered this day	2.577. 93
	$10.123. 07

Say Ten thousand Dollars.

Under date of January 31st last I wrote requesting you to send me Treasury Drafts for Three thousand Dollars, which, if you have sent will reduce the amount now required to Seven Thousand Dollars.

I have the honor to be
most respectfully
Your Obdt. Servt.
Wm. S. Messervy
Secretary Terty N. Mexico.

Secretary's Office of the
Territory of New Mexico
Santa Fé February 25th 1854

Hon. Elisha Whittlesey
First Comptroller of the
Treasury

Sir

Enclosed I send to you a copy of An Act of the Legislative Assembly of the Territory of New Mexico passed at the last session "authorizing the Governor to appoint some person to revise the laws of New Mexico and to provide means for the printing of the same" and directing me to have them printed when they shall have been completed.

I deemed it advisable to lay this matter before you, before any steps were taken for the doing of the work, and get your instructions on the subject. I would most respectfully suggest the propriety and necessity of having the laws alluded to revised corrected and reprinted they make what may properly be called the Civil and Criminal code of the Territory and if revised will embrace all the laws passed up to the present time and now in force. The volume as it now is, is full of errors: in many instances the words of the laws are changed, and

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others placed in their stead of an entirely different meaning. In some parts as much as a line has been left out in a single sentence, and which destroys the sense of the Act. The translation is very imperfect also and it is not unfrequent that the English and Spanish copy of the same law are very different in meaning: The officers of the Court and Territorial government are obliged not infrequently to resort to an examination of the original in this office, to know that the law is, so little reliance is to be placed in the printed copy.

Under these circumstances I have deemed it my duty to suggest the propriety and necessity of a compliance with the Act enclosed; and desire that I shall be authorized to pay for the printing the same. The cost of revising, correcting and preparing the same for the hands of the printer will be worth about one thousand Dollars as they have to be prepared in both languages.

I have the honor to be
most respectfully
Your Obd.t Sont.
Wm. S. Messervy
Secretary Terrty N. Mexico.

I fully concur in all that the Secretary has written relative to the necessity of having a revision and retranslation of the laws of this Territory, and I most earnestly hope that he may be allowed to pay the cost of the work out of the funds now in his hands or that which has heretofore been appropriated by Congress for paying the expenses of the Legislative Assembly as the Territorial treasury has not the means of doing so.

D. Meriwether
Gov.r of New Mexico.

Secretarys Office of the
Territory of New Mexico
Santa Fé March 1st 1854.

Hon Elisha Whittlesey
First Comptroller of the
Treasury.

Sir

I have this day drawn a draft at sight on the Secretary of the Treasury in favour of John C. Abbott for Four hundred and fifty dollars, being for one quarters Salary, commencing on the first day of January 1854 and ending on the thirty-first of March 1854. both days inclusive,-- And I hereby certify that I have not been absent from the Territory or from my duties, since the com

mencement of the quarter for which the above described draft is drawn nor do I intend to be absent from my duties or the Territory for the balance of said quarter.

I have the honor to be
Most respectfully
Your. Obdt. Svnt.
Wm. S. Messervy
Secty Terry N. Mexico.

Secretarys Office of the
Territory of New Mexico
Santa Fé February 28th 1854

Hon Elisha Whittlesey
First Comptroller of
the Treasury.

Sir.

The two enclosed accounts, for articles said to have been furnished to the Legislative Assembly of this Territory at its first Session have been pressed upon me for settlement. Why they have not been before paid, I cannot understand, the approvals upon them are genuine, and the parties claiming under said approval, are persons of good standing, in this Community— I have no doubt, but the claims are just & correct, and that they were kept out of their money by the very loose & illegal manner in which all purchases were made at the first Session of said Assembly, but as I have no control over this matter I respectfully submit them to your consideration

Spencer & Grandjean 57. 49
Beck & Brent 31 50

Most respectfully Yours
Wm. S. Messervy
Secty Terry N. Mexico

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Secretary's Office of the
Territory of New Mexico
Santa Fé March 28th 1854.

Hon Elisha Whittlesey
First Comptroller of the
United States Treasury
Washington city

Sir

I have the honor to acknowledge the reception, of Your letter of the 4th Feby 1854 in answer to mine of the 15th Decembr last advising of a Resolution of the Assembly of this Territory, asking for an engraving of Geo Washington the First President of the U.S. I have also to acknowledge the receipt of yours of the 14th Feby last with instructions to pay the four extra Clerks employed at the session of the Assembly 1852 & 1853. And the manner of making such payments &c.

I have the honor to be
most respectfully
Your obdt Servt.
Wm. S. Messervy
Secty Terry N. Mexico.

Secretary's Office
Territory of New Mexico
Santa Fé March 28th 1854.

Hon Elisha Whittlesey
First Comptroller
U.S. Treasury

Sir

I have the honor to acknowledge the reception of your letter of Feby 9th advising of the adjustment of my accounts, at the Treasury, for the quarter ending 30th Septr. 1853. And of a difference of six thousand dollars, which arises, by not having credited. Warrant No. 1282 dacted October 7th 1853 for 6000— As my accounts were rendered Septr. 30 /53. I could not credit the above refered to warrant, in them, but it will be found to be credited, in my accounts which were forwarded on the first of March 1854.

I have the honor to be
Respectfully Your
Obt Servt.
Wm. S. Messervy
Secty Terry N. Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fé March 28th 1854.

Hon - Elisha Whittlesey
First Compt. U.S. Treasury.
Washington City.

Sir

I have the honor to acknowledge the reception of your letter of the 15th Feby. last, in answer to mine of the 28th of December last enclosing Contract entered into by me with Collins & Davis for printing &c. I admit that the prices "had better have been affixed and carried out" but at the time, supposed, that by filing your letter with the Contract, it would have answered as well. I herewith transmit a copy of the letter referred to, upon which was based the Contract and would ask that it be filed with the Contract in your Office as the original is in mine.

I would respectfully state that the prices for printing & stationary have not fallen since the letter referred to was written, In times past there had been much difficulty in getting the public printing done, that was required for the Legislative Assembly, both for want of material as well as hands, being aware of this fact during the past summer I induced Mr Collins the proprietor of the Santa Fé Gazette to furnish his office with the requisite amount of paper and other necessary material, in order that there might be no delay in having the printing done that might be required, When I took this step, and in doing so, I was guided wholly by what I deemed the best interest of the United States there was no other printing press in the Territory, nor was there any prospect of there being another, Subsequently another small press came out here, And even if I had not made the previous arrangment I could not have awarded the public work to this press, because I had no confidence in those who conducted it, and would not have taken the responsibility to make the requisite advance of money, as the work progressed, There never was any question as to price, but only a contest as to whom the printing should be awarded, under the regular rates paid, except when the House of Representatives ordered me to contract with S. M. Baird, and pay the highest prices, allowed at your department, and to pay for all such work as they, the House of Representatives, should direct, their Chief Clerk David V. Whiting a party intereated in the press with Baird to have done. Thus attempting to take the whole matter out of my hands, except the responsibility of paying for it, This of course I took no notice of, and in this as in all things else, was guided through the circumstances with which I was sorrounded by the instructions from your Office.

Throughout the whole of this vexatious affair I have exercised the discretion which I deemed, was loged, in me, as a disbursing officer of the U. States and in all things pertaining thereto, have done what I considered for the best interest of the United States and the people of this Territory.

In pursuing the course, I adopted the United States has not nor will not be obliged to pay more than a fair compensation for the printing

nor more than it could be obtained for else where in this Territory, and that my course has given satisfaction to the Assembly, as was shown by their last act in reference to the printing of the journals.

I have the honor to be
Most Respectfully
Your Obdt Servt
Wm. S. Messervy
Secty Territy N. Mexico.

Circular á
las Prefecturas

Despacho del Ejecutivo
Santa Fé N. M. Abril 10. de 1854.

Señores

Adjunto acompaño á V. 50. Copias de una Proclamacion espedida por este Despacho, relativa á negocios Indios de este Territorio. Las cuales se servirá V. distribuirlas entre los diferentes Alcaldes bajo su jurisdiccion, lo mas pronto que sea posible, para que sean repartidas entre el pueblo para su informacion y observancia. (Como tambien á los Indios de Pueblo para su gobierno.

Respetuosamente
Su Obte Servor
Wm. S. Messervy
~~Secty Territy N. Mexico.~~
Actng Gov. & Supt. Ind. Affs.
Territy. N. Mexico

Oficina del Secretario del
Territorio de Nuevo Mexico
Santa Fé Abril 20, de 1854.

A Hon—
Juez de Pruebas del Condado de—
Señor.

Adjuntas remito á V.— Copias de las Leyes decretadas en la tercera Sesion de la Asamblea Legislativa del Territorio, para que V. se sirva distribuirlas como sigue: 10. Copias al Hon.— miembro del Consejo; y 10. Copias á Cada uno de los— miembros de la Camara de Representantes; dos Copias al Juez de Pruebas; dos al Alguacil Mayor y una Copia á Cada uno de los Jueces de Paz y dos Alguaciles del Condado. Los Cuales Jueces de Paz y dos Alguaciles al Concluir sus empleos entregarán á sus Sucesores en Oficio, la Copia de la ley.

Sirvase V. acusar recibo de las mismas á esta Oficina.

Respectuosamte Su Obte Servidor
Wm. S. Messervy
Secty Territy of New Mexico.

Santa Fé April 20th 1854.

Taos County		delcd	
5 M. of H.	10 each	50	
4 " of C.	10 "	40	
1 Prefect		2	
1 Sheriff		2	
10 J.P. & 10 Const	1 each	20	114.

Rio Arriba County		delcd	
5 M. H.	10 each	50	
1 " C.		10	
1 Prefect		2.	
1 Sheriff		2	
7 J.P. & 7 Const.		14.	78.

Santa Fe County		delcd	
4 M. of H.	10	40	
1 " of C.		10	
1 Prefect		2	
1 Sheriff		2	
8 J.P. & 8 Const.	1 each	16.	70.

San Miguel County		delcd	
3 M. of H.	10	30.	
2 " of C.	10.	20	
1 Prefect		2	
1 Sheriff		2	
8 J.P. & 8 Const.	1 each	16	70.

Santa Ana County		delcd	
1 M. of H.		10.	
1 " of C.		10.	
1 Prefect		2	
1 Sheriff		2	
4 J.P. & 4 Const	1 each	8	32.

Bernalillo County		delcd	
3 M. of H.	10.	30	
1 Senator		10	
1 Prefect		2	
1 Sheriff		2	
7 J.P. & 7 Const	1 each	14	58.

Valencia County		delcd	
1 M. of H.		10	
1 " " C.		10	
1 Prefect		2	
1 Sheriff		2	
6 J.P. & 6 Const	1 each	12	36.

Socorro County		delcd	
2 M. of H.		20	
2 " " C.		20	
1 Prefect		2	
1 Sheriff		2	
5 J.P. & 5 Const.	1 each	10.	54.

County of Dona Ana		delcd	
1 M. of H.		10	
1 Prefect		2	
1 Sheriff		2	
2 J.P. & 2 Const.	1 each	4	18.

Secretary's Office of the
Territory of New Mexico
Santa Fé April 25th 1854

To the Hon. Speaker of House of Representatives of
the Congress of the United States
Washington City
Hon President of the United States Senate
Washington City
To the President of the United States
Washington City.

Sir:

In pursuance with the requirements of the 4th Section of the Organic Law, of this Territory. I have the honor herewith to transmit to you, One Copy of the Laws, passed by the Legislative Assembly of the Territory of New Mexico, at its last Session begun on the 5th day of December A.D. 1853 and Closed on the 2nd day of February A.D. 1854.

I have the honor to be
Most respectfully
Your Obt Servt
Wm. S. Messervy
Secty. Terry. N. Mexico

Secretary's office of the
Territory of New Mexico
Santa Fé April 25th 1854.

Hon Elisha Whittlesey
First Comptroller of the Treasury
Washington City D.C.
Sir

I herewith transmit to you, for your approval, the bill of Collins & Davis for printing Eight hundred Copies of the Laws, of the Territory of New Mexico passed at the Session of 1854 & 54. I also send to you a Copy of said laws, that it may be Compared with the bill for printing the same. As I have paid the bill. I would respectfully request, that, should any error be found in it, that, I be informed of the same at your earliest Convenience

I have the honor to be
Most respectfully Your
Obdt Servt.
Wm. S. Messervy
Secty Terry N. Mexico.

Secretary's Office of the
Territory of New Mexico
Santa Fe April 25th 1854.

Hon. Elisha Whittlesey
First Comptroller of the Treasury
Washington City D. C.

Sir.

You will please find enclosed the certificate of Thos. F. Bowler for purchase of hoamps &c. Amounting to Fifty Dollars ($50. 00) which please charge to my account. The hoamps were purchased for the Legislature, to prevent the extravagant use of Candles but discovering that the use of the hamps did not lessen the use of Candles, I have deemed it advisable to sell the hamps having met with a favourable opportunity of doing so.

There is a much large Quantity of record Books and Ink on hand in this Office, purchased by my Predecessors than will be required for the use of the Legislature for years to come, I would therefore suggest that the surplus sold, and the money placed to the credit of the of the Legislative Appropriation.

Most respectfully Your Obdt Servt.
Wm. S Messeny
Secty Territy N. Mexico.

Santa Fe April 19th 1854.

I hereby certify that I have this day purchased for Cash of William S. Messeny Secretary of the Territory of New Mexico, the following Articles, belonging to the Legislative Assembly of the said Territory viz:

Four	4	Hanging Hamps	@ 7.50	$ 30. 00
Two	2	Side dette	@ 5.00	10. 00
Four	4	Gallons hard oil	@ 2.50	10. 00
				$ 50. 00

And that I have this day paid the said Wm. S. Messeny Fifty Dollars, in full for the Amount of said purchase.

T. F. Bowler.

Santa Fe April 26th 1854

Sir:

I have received the following Treasury Draft payable to my order by the Asst Treasr Ud. St. Hoods
No. 75-70 on Treasy Warrant No. 2594. for $3000.=

Your Obedient Servant
Wm. S. Messeny
Secty Terry New Mexico

Samuel Casey Esq.
Treasurer of the United States

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Territory of New Mexico
Office of the Secretary
of the Territory of New Mexico
Santa Fé May 25th 1854.

To His Excellency the Governor of the State of
Maine,
New Hampshire
Vermont
Massachusetts
Rhode Island
Connecticut
New York
New Jersy
Pennsylvania
Delaware
Maryland
Virginia
North Carolina
South Carolina
Georgia
Florida
Alabama
Mississippi
Louisiana
Texas
Arkansas
Tennessee
Kentucky
Ohio
Michigan
Indiana
Illinois
Missouri
Iowa
Wisconsin
California

Territory of Minnesota
Oregon
Utah
Washington

Sir

Agreeably to an Act of the Assembly of this Territory, I have this day transmitted by mail directed to your Excellency One Copy of the Laws of the Territory of New Mexico, passed by the third Legislative Assembly, for the use of the State of (as above) the receipt of which you will please acknowledge.

I am very respectfully
Your Obt. Servt.
Wm. A. Messervy
Secty Terry N. M.

also to the State of New Jersey
one copy of the Laws of the second session.

Secretary's Office of the
Territory of New Mexico
Santa Fe May 25th 1854.

Hon: Thos. L. Smith
First Auditor U.S. Treasury
Washington City

Sir:

I have the honor to acknowledge the reception of Your letter, dated 3d April last; In reply to Your request for a copy of the Appropriation bill passed at the last Session of the Legislative Assembly of this Territory, I would respectfully inform you, that no appropriation bill, was passed, nor has the Legislature, ever to my Knowledge, passed a regular Appropriation bill,= at its First Session, the attempt was made by that body, to dispose of the funds, appropriated by Congress for the Legislative Expenses. & the larger portion of the items in their appropriations being illegal they were disregarded by my Predecessor, who confined himself in his disbursements, to the instructions from the Treasury Department at Washington, that Course has since been pursued. In making my disbursements of the monies entrusted to my charge, I have required the Presiding Officers & the Chief Clerks, of the respective branches of the Assembly, to make their requisitions on me as Secretary of the Territory, for such articles of stationary &c as were necessary for the business of the Assembly. Such as were not allready in the Office. I purchased where they could be procured at the lowest prices & furnished the same to the Assembly through its Chief Clerks. at the end of the Session I took up the, daily requisitions, & included the whole in One general requisition, which was forwarded to you with my accounts, on the first of March last.

Had I allowed the Legislature to appropriate the funds entrusted to my charge & conformed myself thereto, And would have acted Contrary to my instructions from. Our Department & would have involved myself with illegal, expenditures. Throughout the whole of my Official duties I have endeavored to follow strictly the law And the instructions received from your Department. Had the Legislature seen fit to Appropriate the funds in my hands, so far as those appropriations were legal. I should have regarded them, when otherwise I should not have acknowledge their right to order them.

I herewith transmit, to your address Copies of all the acts of the Legislative Assembly of this Territory from its first organization to the present time.

I have the honor to be
Most respectfully
Your obt Servt
Wm. A. Wilson
Secy Terry N. Mexico

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Santa Fé May 29th 1854.

Sir:

I have received the following Treasury Draft payable to my order by the Asst Treas. St Louis Mo

No. 7729 on Treas Warrant No. 2669 for $2000
7730 " do —— 2000
7731 " do —— 1500
7732 " do —— 1500

Your Obedient Servant
Wm. S. Messervy
Secty Territy New Mexico

Samuel Casey Esq.
Treasurer of the United States.

Secretarys Office of the
Territory of New Mexico
Santa Fé June 1st 1854.

Hon Elisha Whittlesey
First Comptroller of the
U.S. Treasury
Washington City
Sir

I have this day drawn a draft at sight on the Hon Jas Guthree Secretary of the Treasury, to the order of Mr John G. Abbott, for Four hundred and fifty dollars, being for one Quarters Salary Commencing on the first day of April 1854 and ending on the thirteeth day of June 1854 both days inclusive and I hereby certify that I have not been absent from the Territory or from my duties, nor do I intend to be for the time for which the above described draft is drawn.

I have the honor to be
Most respectfully
Your Obdt. Sent.
Wm. S. Messervy
Secty Territy New Mexico.

Secretary's Office of the
Territory of New Mexico
Santa Fé. May 27th 1854.

Hon Elisha Whittlesey
First Comptroller Nat. Treasury
Washington City
Sir.

I have the honor to acknowledge the

reception of your letter of the 18th March last, and beg leave most respectfully to observe, that I cannot but believe, there was some misapprehension of the facts of the case at the time you wrote the following viz. "The second clause of the resolution Authorizing the Secretary to employ Suitable persons to prepare said Journals for the Printer" I have to state that the preparation of the Journals properly devolves upon you, that it is a part of your Official duties And that no charge for such expenses can be allowed" I must beg leave most respectfully to differ with you in this particular. I conceive that it is not a part of the duty of the Secretary of this Territory to prepare the Journals of the Assembly for publication, & even if it was he could not do it, and faithfully perform the other & more important duties of his Office. I have read Carefully all the laws of Congress, and every word of your full and ample instructions relating to the duties of the occupat of this Office. And have not until your letter above referred to came to hand found one word, informing me of this increase of duty. The Organic Act of this Territory, Approved September 9th 1850. clearly defines in Section 4th the duties of this Officer, Among his other duties are, the following viz: "He shall record and preserve all the laws, and proceedings, of the Legislative Assembly, hereinafter constituted, and all the Acts, & proceedings of the Governor in his Executive department &c"

All this I have, I believe faithfully performed. Again, the last clause of the 2d Section of the Act to provide for the settlement of certain accounts for the support of Government, in the Territory of Wisconsin & for other purposes, Approved in 1842. is as follows viz. "And it shall be the duty of the Secretary of each Territory to prepare the Acts passed by the Legislature for publication & to furnish a Copy thereof to the Public Printer of the Territory within ten days after the passage of each Act" By which I understand, that it is the duty of the Secretary to prepare the Acts (laws, resolutions, and Memorials) passed by the Legislature for publication & furnish a Copy thereof for the Public Printer, & not the proceedings or Journals. This I have done and within the time specified by law, and superintended the printing of the same and when printed Caused them to be distributed. This is all I have been able to find in the laws relative to the clerical duties of this Office, with the exception of those relating to my duties as a disbursing Officer of the Government. But as I am subject to the laws and to your instructions, I beg leave to refer to the latter on this point, by which you will see that the Secretary of this Territory is authorized by you to pay for such charges.

I refer to the enclosed Copies of correspondence between you and my Predecessor Mr Greiner upon the same point in which you authorized him to pay three hundred and ninety dollars, for a copy of the Journal of the House of Representatives, furnished to the Printer in the English and Spanish languages. Now as it became necessary to have this work done, and as the Assembly desired it, and you had previously authorized it without one word of objection to it, And as I could not in addition to my other duties perform this Service I Contracted with Certain parties for one

hundred And fifty Dollars for a sixty days Journal— As I have contracted for the work under the Circumstances and as most of it has been performed when the whole shall have been completed, I shall pay for the same and entertain no doubt but my accounts in this particular, will be allowed by you, after you shall have been informed of all the particulars of the case.

The Amount of manual labor, & time required in preparing, Copying, reading proof sheets & Correcting the Journals of both branches of the Legislature, embracing a Session of sixty days and each Journal to be prepared & Copied in two Separate Languages. the one in English and the other in the Spanish language is of itself as much as any one could faithfully perform. & I must say that no one man could perform such service faithfully & at the same perform the other duties of this Office, And when added to this the back Journals (which if you are right in decission should have been prepared by my Predecessors), Are to be put upon me also. I Can only say that you require of me more than I Can perform more than I shall attempt to performe.

The Journals now in Course of preparation & publication when printed in both languages. will Comprise six large volumns. besides one volume of the laws already published, Now I Appeal to your own good Sense & Justice, which I have never found at fault, if this is not requiring too much of me. You write, the rule referred to, "has been Applied to other Territories, and due Consistency of the practice & principles that govern in any particular Question should be maintained as a matter of right." This I admit, but should not this Office have been informed, at an earlier day of the existence of such a rule? As far as this Office is Concerned it has been informed to the Contrary, by your authorizing the same Class of payments, with no Objections whatever. Besides, in other Territories the Journals are for forty days only, and are kept in the English language ours are for sixty days & have to be prepared in two languages. But allowing that it were possible for Any one man to perform, what you require of the Secretary of the Territory, when his time & Services are devoted exclusively to the duties of his Office. I feel assured that you will not expect this Service from me, when you shall have been advised of the fact, that at the very time when these Journals are being prepared and printed. I have been still am, and am yet for some months to Come, to perform the duties & take upon myself the responsibilities, of the Executive Department, The Superintendency of Indian Affs— And the Commander in Chief of the Militia of this Territory, a portion of which are now in actual Service, repelling the invasion of hostile Tribes of Indians. Before I had finished the legitimate duties of my Office, in Superintending the publication of the laws. Governor Merriwether having obtained a leave of absence, left the Territory to be absent for several months devolving upon me by the Organic Act of the Territory, the duties of the Offices above refered to in addition to those of my own. The duties of Superintendent of Indian Affairs for this Territory, are at this time more difficult & Arduous. than that of any other Superintendency in the Country. requiring my closest attention to that Office, frequently into late hours of the Night, not a day passes that I do not receive dispatches of the

terriable havocke, made upon the lives & property of our citizens, by some one of the Tribes of Indians now employed in devastating this unfortunate Territory. All of which communications have to ensured, and instructions given, & reports & accounts made out the whole of which must be written by my hand, as that Office is, not allowed a Clerke. I therefore trust that in view of the press of duties, now imposed upon me, by virtue of my Office, and the circumstances, by which I am surrounded that you will not insist upon my performing the duties of Copying clerk to the Public Printer.

I have the honor to be
Most respectfully Your
Obdt. Sert.
Wm. S. Messervy
Secty Territy New Mexico.

Office of the Secretary of the
Territory of New Mexico
Santa Fé' June 30th 1854.

Hon. Elisha Whittlesey
First Comptroller of the
U.S. Treasury
Washington City.
Sir

I herewith transmit for your approval. Collins & Davies bill for printing the Journal of the Senate of the Legislative Assembly of the Territory of New Mexico for the Session of 1853 & 54. I also forward by this Mail one Copy each in the English & Spanish languages— that you may see if the work corresponds with the bill enclosed— and would most respectfully request if there should be discovered any wrong charge— that I may be advised of the same at your earliest convenience.

I have the honor to be
Most respectfully Your obt. Sert.
Wm. S. Messervy
Secty Territy New Mexico.

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Secretary's Office of the
Territory of New Mexico.
Santa Fé June 30th 1854.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington City
Sir.

I have the honor to acknowledge the receipt of your letter of the 13th of May advising me of the adjustment of my accounts to the first day of March last.

I have the honor to be
most respectfully
Your obt Svnt
Wm.S. Messervy
Secty Territory New Mexico.

Territory of New Mexico
Office of the Secretary of the
Territory of New Mexico
Santa Fé July 18th 1854.

To his Excellency the Governor of the State of
Maine
New Hampshire
Vermont
Massachusetts
Rhode Island
Connecticut
New York
New Jersey
Pennsylvania
Delaware
Maryland
Virginia
North Carolina
South Carolina
Georgia
Florida
Alabama
Mississippi
Louisiana
Texas
Arkansas

Tennessee
Kentucky
Ohio
Michigan
Indiana
Illinois
Missouri
Iowa
Wisconsin
California
Territory of Minnesota
" " Oregon
" " Utach
" " Washington

Sir.

Agreably to an Act of the Assembly of this Territory, I have this day transmitted by mail, directed to your Excellency, one Copy in English and Spanish, each of the Journal of the House of Representatives of the Session Commencing Dec. 1st 1851 and the Journal of the Council of the Session Commencing Dec. 5th 1853. for the use of the State (as above) the receipt of which you will please acknowledge.

I am very respectfully
Your Obedient Sv't.
W. M. S. Messervy
Secretary of the Territory.

Secretarys Office of the
Territory of New Mexico,
Santa Fé July 28th 1854

Messrs Glasgow & Bro.
Saint Louis
Mo.

Gentlemen;

Under date of 19th May last. The Trustees of the New York State Library advised Gov. Merriwether of this Territory, that they had forwarded to Saint Louis, by the American Express Company a Box of Legislative Documents for the Territorial Library of this Territory. And that the freight on the same had been paid to your city. The American Express Company has the Box now in charge at Saint Louis. I would ask of you the favour to take possession of the same, and forward it to this Office, this fall if an opportunity offers if not hold it until next spring

and have it sent by the first Wagons coming to this City.

Most respectfully
Your Obdt Sont.
Wm. S. Messervy
Secty. Terry. New Mexico.

Secretarys Office of the
Territory of New Mexico
Santa Fé July 31st 1854

Hon Elisha Whittlesey
First Comptroller
U. S. Treasury.
Sir.

You will herewith please find enclosed Receipt of my successor. W. W. H. Davis for balance of funds of the United States in my hands. Amounting to Five thousand Seven hundred and forty four 74/100 Dollars. which please cause to be placed to the credit of my account. By this same Conveyance I send to the Hon. First Auditor of the Treasury my accounts in full to date, for which I would ask an early examination and adjustment.

I have the honor to be
most respectfully
Your obdt Sont.
Wm S. Messervy
Secty Territy New Mexico.

Hon T. Ro. Smith
First Auditor U.S. Treasury
Sir

Secretarys Office Territory
New Mexico
Santa Fe July 31 1854.

I have the honor Herewith to transmit Account Current. Abstract, Vouchers of disbursements made by me of funds appropriated by Congress to pay the expenses of the Legislative Assembly of the Territory New Mexico I have forwarded the receipt of funds turned over to my successor. W. W. H. Davis to the First Comptroller of the United States Treasury

Most Respectfully
Wm S. Messervy
Secty Terry. New Mexico

Secretary's Office of the
Territory of New Mexico
Santa Fe July 31st 1854.

Hon Elisha Whittlesey
First Comptroller
U. S. Treasury
Washington City

Sir:

Having this day forwarded my Accounts to the Treasury Department for adjustment I would beg leave to refer to your instructions, under date of Feby 14th 1854. in explanation of Vouchers Nos. 1. 2. 3. & 4. Abstract B. There is one other Account in the same class which is not yet paid as the party interested, in it is not in the Territory to sign the Voucher.

I have the honor to be
Most respectfully
Your Obt. Svt.
Wm. S. Messervy
Secty Terry N. Mexico

Santa Fé July 31st 1854

Hon. First Comptroller
U.S. Treasury
Washington City

Sir.

I have this day drawn a draft on Hon Jas. Guthrie Secretary U.S. Treasury at Sight favour of John C. Abbott, for one hundred and fifty Dollars. being for one months Salary Comencing July 1st & ending 31st date, both days inclusive, which will close the term of my service.

Most respectfully
Your obt. Servant
Wm. S. Messervy
Secty Terry N. Mexico.

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Secretary's Office Territory New Mexico
Santa Fe N. M. August 24th 1854.

Hon. Elisha Whittlesey.
First Comptroller of the
United States Treasury.

Sir;

I have the honor to transmit, for your approval the following estimate for the expenses of the Legislative Assembly for the current fiscal year, translating acts laws &c, printing the laws, and also the expenses of the Secretary's office as follows.

Pay of 39 Members 60 days each — 2340 days @ $3 —	$7020.00
" " 16 officers 60 " " — 960 " " " —	2880 00
" " Mileage of Members " —	800.00
Contingent Expenses — " —	3000.00
Expenses of the Secretary's office "	500 00
Translating acts Laws &.	500 00.
Printing the Laws.	2200 00.
Expenses of printing A. J. 1852-53. Sess.	3000. 00.
" " " A. J. 1853-54. Sess.	3500 00.
	$23800.00
Actual amount on hand — " —	5744.74
Amount required " — "	$18055.26.

In the amount estimated. I have not included the probable cost of printing the journals of the Council and House. because there is no certainty of their being printed. If I am authorized. I shall then forward a subsequent estimate for the expenses of the same.

The Legislative Assembly meets the first Monday in December, and it is necessary therefore, that I should receive the draft by the November mail. that I may be able to negotiate for the necessary funds on due presentation. Money is scarce in this Territory, and it will require some little time to make the necessary arrangements. Allow me to suggest an early attention to this requisition. In order for the draft to reach me in the November mail, they should leave Washington not later than the middle of October.

I have the honor to remain
Very Respectfully.
Your Obt. Servant.

W. W. H. Davis.
Secretary Terry. of New Mexico

Office of Chief Engineer, Department of the Interior,
Washington, August 23rd 1854.

Hon. Caleb Smith,
Chief Commissioner of
Patents, Patent Office.

Sir:

I have the honor to acknowledge the receipt of your letter dated the 21st inst. and have to reply to the same, I have carefully read the contents thereof, and will endeavor very briefly to express some general, principles in connection with the examination of the Patent Commissioner.

There is several reasons why the specifications should differ in particulars from the claims, the specification of the invention should be as concise as possible, consistent with a clear description of the principles, and the best mode in which the inventor has contemplated the application of those principles to practice, but the claim should be so distinct and clear, as to point out the precise limits of the invention, that others may know when they infringe upon the rights secured to the patentee, and be enabled to avoid it. The specification is addressed to the scientific reader, and the claim to the public generally, the latter should therefore be free from technical terms, as far as practicable, and confined to the ordinary language of business and common life. The former is addressed to the scientific reader, and must use such terms as are employed by scientific men, to express with clearness and precision the various steps of a process, or the different parts of a machine, in order to enable others skilled in the art or science to which it appertains, to make and use the same. In describing any thing new, care should be taken to use such terms only as will convey to the mind of a scientific reader the true idea intended to be conveyed, but beyond this, no limit can be prescribed to the manner in which the specification may be worded. The inventor may select his own terms of expression, provided they are sufficiently explicit to convey a correct idea of his invention, and may adopt any arrangement of the different parts of the subject which he may deem most convenient for full and fair description. The only valuable purpose which can be answered by examining the specification, before the claim has been examined, is to ascertain whether the inventor has described the best mode of applying the principle, with which he is acquainted. This fact can never be ascertained by comparing the specification with the model, drawings, or machine, after the claim has been allowed, for the applicant can then make any alterations in the specification which may be necessary to secure to him the whole of his invention, without the risk of interfering with any rights which have been granted to others. The specification and claim are documents which are seldom subjected to the examination of any other persons than engineers, scientific men, and patent agents, and rarely, if ever, become obsolete or lose their interest, after the expiration of the patent. The model, drawings, and machine, on the contrary, are visited by persons of all classes, many of whom have no technical knowledge of the principles involved in the various machines which come under their observation, and who frequently take a deep interest in patented inventions, after the original patent has expired. The model, drawings, and machine, are therefore liable to be inspected by persons who are incapable of understanding the nature of the invention, unless they have the specification and claim before them for explanation. The latter should therefore be prepared in the first instance, with direct reference to the model, drawings, and machine, and subsequent alterations in the claim, or specification, may be required, so as to correspond with any change which may be made in the model, drawings, or machine, in order to conform to the rights secured to the patentee by the original patent. The effect of any such change in the model, drawings, or machine, after the original patent has been granted, cannot be foreseen, and may be such as entirely to destroy the value of the invention patented, and render the whole patent void, for the law requires that the specification shall be such full, clear, and exact description of the invention, as will enable others skilled in the art or science to which it appertains, to make and use the same, and the model, drawings, and machine, are frequently referred to, for the purpose of ascertaining whether the specification is such description, and if the model, drawings, or machine, do not correspond with the specification, the patent may be void for that reason. In order to guard against this result, the inventor should examine carefully the model, drawings, and machine, after the claim has been allowed, and before the final fee is paid, and if he discovers any change which is necessary to make the model, drawings, or machine, correspond with the specification and claim, he should make application for such change, and pay the additional fee required by law, before the final fee is paid, otherwise the patent may be void.

In regard to the model of Fraser, Hilliard and Davis, there should be at least four views of it, so as to exhibit the invention clearly, and the parts, or the relative size of the several parts should be given. The cost for the drawings will be $6.00. The freight from Cincinnati to this place will be about $1.00. The model should be sent by express, addressed to the Patent Office, Washington City, D.C. and marked "Model, with care." The drawings should be sent by mail, addressed to the Commissioner of Patents, Washington City, D.C. and marked "Drawings." The model should not be packed in the same box with the drawings; and the model should be marked with the name of the inventor, and the date when it was received at the Patent Office. The drawings should be marked in the same manner, and a letter should be addressed to the Commissioner of Patents, stating that the model and drawings have been forwarded, and when they were sent, and by what conveyance, and when they may be expected to arrive at the Patent Office, and requesting that they may be received and placed with the papers in the case.

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two reams, weighs about One hundred and thirty pounds, which at twelve dollars the hundred, would come to fifteen dollars and sixty cents the bundle, or seven dollars and eighty cents the ream. Add this to the cost, six dollars and twenty five cents, and it makes fourteen dollars and five cents delivered here. One, and sometimes two Quires, in each ream is damaged by the vicissitudes of the weather &c, which is a loss: And there must also be reckoned the risk of having to keep the paper on hand over one season, by reason of the journals not being ordered to be printed And a Consequently loss of interest on the money thus invested— here twelve per cent— as the paper is not required for any other purpose. In addition it now and then occurs, as was the case this summer, that the paper for the public work falls short, before the trains arrive and the printer is Obliged to have a supply brought out in the mail wagons, to enable him to Continue the work. By this means of transportation, the cost of freight is twenty Cents per pound in summer and forty cents in winter. If the paper should be purchased in the States by government and sent out here in government trains, I do not see that any thing would be gained, because the freight would be the same, and the paper Could not be purchased any cheaper by a government agent than by a private individual.

Since the rates for the public printing were fixed for this Territory no change has taken place, in expenses, that would justify lowering the price. Every thing is as high as in previous years— neither freight labor, nor cost of materials have decreased in price And there is no present prospect of the time arriving when the rates Can be reduced with safety, with a prospect of having the work well and promptly done. For binding, stitching and folding the printer is allowed 37½ under the Contract, which I do not think is unreasonable. From fifteen to twenty cents are paid to the person who does the work. There is but one person who understands binding, And Can do this kind of work, who can be had in the Territory, He is the best compositor in the Office and has to be taken from the case to the detriment of other branches of the public work in order to do the binding, which is a loss to the printers. The punching, binding and other branches of this work have to be done by hand, which makes it both laborious and tedious, particularly where the volume is large, as is the Case of the House journal of the passed session which Contains nearly five hundred pages.

The price of Composition per thousand ems, paid to the workmen, is four and five times higher than the rates paid in the States. The price under the Contract allowed the printer is $2.50. for Spanish per thousand ems, and $1.50. for English. It is a difficult matter, under the most favorable circumstances to procure Spanish Compositors, in as much as a printer much understand the language before he can set up from Spanish manuscript. Therefore, I do not feel justifiable in recommending a reduction of price in this particular. The present volume of laws, it will be noticed are printed with side note, which increase the cost; but the additional expense is more than made up in their improved Appearance and Convenience. I Consider side notes Quite necessary. The additional three hundred volumes, over the number printed previous year, and the increased size of the volume, being nearly one half larger, also help to swell the cost of the laws this year.

I have this written you fully upon these points, that you may have a better understanding of the various matters submitted for my consideration. It is almost impossible in many particulars to convey in writting, an exact account of the difficulties we labor under here in relation to these and other points touching the public service; I hope however, that I have written will be clearly understood in view of all the circumstances of the case, Connected with the prices of the public printing for this Territory, I do not feel at liberty to advise a reduction of the prices below these heretofore fixed, by the Honorable First Comptroller, I will be pleased however, duly to Consider any further suggestions in this particular or otherwise, you may make to me; and will at all times deem it a pleasure as well as a duty, to follow any instructions you may see proper to give me touching any branch of the public service, that comes under my supervision.

The revised code of laws as made by the tree Commissioners, was not adopted by the Legislative Assembly, and hence not printed nor in existence. The other laws and journals, which you desire, I will forward by the mail, although I believe Copies have heretofore been sent you, by my predeceesor. The Spanish House journal of the passed session, is finished and will accompany these; the English Copy is now in press, and when completed I will send you a Copy of that also, with necessary vouchers for the payment of both volumes. The number of ems I am sweare nightly, computed, but in future I will file, as you suggest, with the voucher, an Affidavit a five or more practical printers, as regards the quantity - Charged for.

There are, in this Office, a Considerable number of old School books, in Spanish, purchased and brought here under the military government before the passage of the Organic Law. In their present Condition, they are more of a nuisance than a benefit to any one, and will ultimately, be destroyed by the mice. The few Schools that we have in the Territory are almost entirely without the necessary books, and the teachers have requested me to deliver these books to them, for the use of their Schools. By this Course a positive good will be done, in promoting the Cause of education, among the people, and the government will sustain no loss. I would like instructions as to the Course. I shall pursue with the matter.

Your letter of the 7th of July refers particularly to the question of allowance for the preparation of the journals for the hands of the printer. This matter has been considered so fully by my predecessor, that I do not deem it necessary to occupy much time with the subject. The Organic Law points out every clearly, all the duties the Secretary is called upon to perform; and if it had been the intention of Congress to make him Copy and prepare all the journals, and read the proof sheets of the same, because that is the duty of the person who prepares the manuscript, it would have been so expressed, It is the duty of the Secretary to prepare the laws, memorials and resolutions, for publication, but in this particular it is not in his power to Comply with the law which require them to be placed in the hands of the printer within two days after they shall have passed; because he has no time to attend to the matter while the Legislature is in session. When the printing of them once begun it occupies his time and attention until they are finished, in copying, comparing with the original,

reading the proofs, marking the titles &c. so that the journals could not, under any consideration receive any attention until after the laws shall have been finished, It must be born in mind that the journals have to be copied in both languages, and done with great care because the clerks who keep the originals are often disqualified for the task, which renders the duty of the Copyist much more laborious. This office is not allowed a clerk, and it is entirely beyond my power to copy and prepare the journals for the printer with my own hands, and at the same time discharge the duties of Secretary, all of which much be done in person. The manuscript of the journals in Spanish and English will make about fourteen hundred pages for each session which is more matter than I can copy with my own hand from the adjournment of One Legislative Assembly, until the meeting of the next, and at the same time attend to my official duties. Even if within my power the want of a knowledge of the Spanish language would disqualify me for the task. The Originals cannot well be given into the hands of the printer; they are recorded in a large book, and even if in a condition to be printed without preparation, this manner would much retard the public work, because only One Compositor could set up from the book at a time, and the others would have to remain idle. Manuscript sheets are distributed around to the compositors, so that several can work at the same job, otherwise it would be almost impossible to finish a long piece of work, like the journals.

I do not advocate this allowance because the Legislature directs the amount to be paid by the Secretary – for I recognize no right in that body to appropriate one dime of the public funds in my hands, but because, under the circumstances of the case, I believe it to be "proper and reasonable in Amount." This allowance has hitherto been made to my three predecessors in office; and in no instance until in your letter of the 7th ultimo, has the prospective allowance for the coming year been denied. The approval of this item in the accounts of three Secretary's, would seem sufficient to establish a rule in the premises, so far, at least as this Territory is concerned. The other Territories can hardly be made a Criterion for New Mexico where the duties of the Secretary are much more arduous than elsewhere.

I should regret exceedingly, to be obliged to differ with the Honorable First Comptroller, in regard to this, or any other matter touching the public service. These suggestions I throw out for your Considerations, which I hope you will duly weigh before you make a permanent decision in the case.

I remain Very Respectfully
Your Obt. Servant
W. W. H. Davis
Secty Territory New Mexico.

Secretary's office, Territory New Mexico,
Santa Fé, New Mexico, Septr 27th 1854

Sir;

I have the honor to transmit to your office, the oath of office of the Honorable Perry E. Brocchus, Associate Justice of the Supreme Court of the Territory of New Mexico, as sworn and subscribed before His Excellency Governor Meriwether.

Remain.
Very Respectfully.
Your Obt. Servant.
W. W. H. Davis.
Secretary Terry. New Mexico.

Honorable William L. Marcy.
Secretary of State.
Washington.
D.C.

Secretary's Office Terrty. New Mex.
Santa Fé September 29th 1854

Hon. Elisha Whittlesey
Comptroller U. S. Treasury.
Sir.

Enclosed please find the bill duly receipted, of Collins and Dan's for printing &c the House Journals of the Legislative Assembly of the session of 1853-54. in Spanish & English, which amount I have paid. You will also find enclosed, an affidavit of a practical printer of the number of thousand ems in each volume, including the covers, and the number of tokens of press work in conformity with your letter of the 3rd of July. The quantity of paper is correct, by my own calculation. In book work of this size, each form of sixteen pages contains twenty four thousand ems, or one thousand five hundred to each page, which will serve you as bases, if you desire to compute the amount of the work; and each volume contains twenty eight forms. Eight pages are worked on the press at one time, and an hundred impressions of each sixteen pages makes one token of press work. I also send you a copy of the journal in English; the Spanish copy I forwarded by the last mail.

An Act was passed by the last Legislative Assembly, authorizing a reprint of the laws of the Territory in one volume. What action has the Treasury Department taken in the matter? There are Legislative funds enough undrawn to pay for the work; and I should suppose an order from the Department, to the Secretary, directing him to have the work done and to pay for the same, would be authority enough on the premises. This work will neither have to be done or the first volume of the laws reprinted soon. This volume is now out of print and there are no copies to furnish the new County Offices who were elected this fall—

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I'm sorry I didn't come according to appointment but I was detained by the Hon. Secretary. I have the honor to enclose herewith a letter for Governor Wallace which explains itself. I am sir very respectfully your obt. servt.

A. Jackson

Hon. Secretary of the Interior.

Secretary of the Interior's office.
Santa Fe N. M. October 24th 1857

Hon. Archibald Gibbon Secretary.
Fort Leavenworth Ks. Territory.
Northern Route.

Sir

I have the honor to acknowledge the receipt of your letter of September 11th ultimo, the first transmitting the oaths of the Governor, Secretary, the Judges of New Mexico, as required by law to be taken before the Chief Justice of Kansas Territory, and the second transmitting the proceedings of the Legislative Assembly of New Mexico, convened at Santa Fe on the 1st day of December 1856, so certificated, for the said purpose to be placed upon record, which oaths, certificates & proceedings will not be returned herewith. If they should not prove to be correct, they cannot be approved, and will be taken no notice of. If they should prove correct, you will be duly informed of the fact.

The Governor, Secretary, Judges & Marshal, &c. &c. &c. Santa Fe.

Copies de la Secretaría del Territorio de Nuevo México
Santa Fé Nuevo México

Al Excmo Señor
Gobernador del Estado de ____.
Señor.

Tengo el honor de acompañar á V.E. ____ ejemplares de los Estatutos de la Compañía de Responsabilidad Limitada de Minas de Plata del Territorio de Nuevo México para que V.E. se sirva entregar á cada uno de los Señores Accionistas de la Compañía de Responsabilidad Limitada de Minas de Plata del Territorio de Nuevo México un ejemplar de dichos Estatutos y una copia con traducción que deberá estar hecha de letra clara y legible.

Aprovecho esta ocasión para renovar á V.E. las seguridades de mi consideración y respeto.

Su atento y seguro servidor
M. M. A. Otero
Secretario del Territorio
de Nuevo México.

Excelentísimo Señor Gobernador del Estado de
Nuevo México
Santa Fé
Nuevo México.

Excelentísimo Señor Gobernador:

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Ah. please find enclosed a Treasury Draft No. 845. for $500 drawon in favor of C. H. Mason Secretary of Washington Territory. Forwarded to me through mistake.

Remain,
Very Respectfully.
Your Obt. Servant.
W. W. H. Davis.
Secty. Terry. New Mexico

Secretary's Office, Territory of New Mexico-
Santa Fé November 27th 1854.

Honorable Elisha Whittlesey,
Comptroller of the U.S. Treasury,
Washington D.C.
Sir:

I have the honor to acknowledge the reception of four letters from you, bearing date respectively 23rd September two of 10 October, and one of the 13th as well as one bearing date the 23rd of September addressed to the Hon. William S. Messervy late Secretary of this Territory.

One of the two communications dated the 13th ultimo enclosed my Commission as Secretary of the Territory; and the other of the same date advised me of an advance of $14000 for Legislative purposes, which amount I have received from the Treasury of the United States in seven Drafts of $2000 each, the receipt of which I have this day acknowledged, and placed the same to the credit of the United States, I will have considerable difficulty in disposing of my drafts even of the size, owing to the scarcity of money, but I hope to be able to raise sufficient to meet the current expenditures. Hereafter I will pay for the printing of the laws and journals according to the New mode you have prescribed, first forwarding the Bill to you, and awaiting its approval before the entire amount is paid. The estimate of $3000 for Contingent expenses, I made some after I had entered upon the duties of this Office, and before I was entirely acquainted with what would be the probable expenses. They certainly cannot exceed the amount paid by my predecessor, and I hope to be able to reduce them below that sum; but in no case will more be expended than shall be found absolutely necessary.

Your Communication of the 13th ultimo is in answer to mine of the 25th of August in relation to the prices to be paid for the public printing, preparation of the laws and journals for the press, &c: your decision in the case will govern me in the future in these particulars. You may rest assured that I will watch with jealous care the interests of the United States during my Continuance in office, while at the same time I will endeavor to do ample justice to all claimants. Economy should always characterize the acts of this disbursing public money and I fully concur in the views you have given in this Connection and cheerfully acquiesce in the decision disallowing a

for the preparation of the English journals; and since you have decided this duty to devolve upon the Secretary the same shall be performed cheerfully. I fully recognize the doctrine that duties must be discharged in spite of every consideration outside of them. I neither ask nor desire any indulgence in this particular, but am willing to abide the decision of the Department in such matters; believing the Hon. Comptroller will never be unjust nor unreasonable in his requirements. The people and government pay me for my services, and to their interest I am willing to devote myself with all my energy and ability. Hereafter the preparation of the English journals will not be a charge upon the United States. Since I wrote you last, I have caused to be placed in translation and preparation for the press, the Council Journals of the Sessions 1851 & 2. and 1852. & 3. They are smaller than those already printed, and I was able to contract for the translation of both and the preparation of the Spanish copy of the same, for the press, for the sum of $ 150, which I will pay when the work shall have been completed. These Journals will be ready to go to press about the beginning of the New year.

Your favor of the 23rd of September addressed to the Hon. William S. Messery, and the one of the same date to myself are in reference to the final settlement of his accounts and the stoppage of a certain amount against him. He has left for the United States and will probably be in Washington before this will come to hand. I will forward to Mr. Messery a copy of the letter and enclosed papers; and as you desired have placed the same before Messrs Collins & Davis. In relation to the subject matter of this communication, I desire to reply somewhat at length.

The computation of the laws and journals as rendered by Messrs Collins & Davis, and paid for by Mr. Messery, and that rendered by the Superintendent of Public Printing, varies in the number of thousand ems in the following amount. Laws English 133.820— Spanish 121.480— Journal- English 135.453— Spanish 126.416 thousand ems. This shows a difference of 900 ems in a page of the laws, and 50. and 56 respectively in the Journals; besides a deficiency of 3/4 inches of press work in the labor. The discrepance in the Journals is easily accounted for, and probably both the computation of the printer here, and that of the Superintendent is correct. Take the plain work of the journals— the letter used is small Pica of 28 ems in width to the line, and 54 ems in length. Now I have no doubt, used an em a trifle smaller, because of the smallness ems are most of the same size, the series being numbered, and the difference being hardly noticeable. And further— matter is always measured by printers in the sticks before the form goes to press. The paper is thoroughly wet with water before the impression is made, and after it dries it shrinks up more or less, and in this manner the page will sometimes become shortened to the extent of two ems. He measured it in the dry state, and as a matter of course the page was found not to contain quite so many ems— hence the deficiency of 50 ems to the page can be easily accounted for. That the computation of the ems of the plain matter is correct I am well convinced because tested it well before the bills were made out, and went over the whole computation to be sure there was

no error. The length of the line of printed matter, on the journals is 54 small Pica ems, and the breadth 28, which multiplied makes 1512 for the page — but Messrs Collins & Davis only charged for 15000 leaving the odd 12 as a margin to go upon, but they were justly entitled to charge for the whole number. In order that you may see that the lengths of the lines as computed here are correct (28 by 54) I herewith send you one of the leads used by the printer, with a sufficient number of small Pica ems to form a line — also a gauge the length of line. It will be seen that the lead is of the length of 27 ems and an em and a trifle over the latter printers always count as an em because it is as much trouble to pick up as though it was the full size. This explanation will show wherein lies the discrepancies between the respective computations: and point out to the Superintendent how he has erred.

The next error referred to in the Journals, consists in the computations of the table work on which the discrepancies appear large. I will here premisely saying, that printers always charge more for table and rule work than plain matter unless a fixed price has been agreed, and they also have to pay more to the hands. This is because it is much more troublesome matter to set up, and occupies a workmans much longer time to do the same amount of work. Before this journal, there had never been any rule and table work done, for the government here, and no prices were established for the same; the prices being for plain matter. In the absence of prices for this grade of work, Messrs Collins & Davis charged according to the customs of the office here in working for others, and according to the rule of printers: and it is a well settled rule that where no specified price is fixed for a particular class of work that the customer has to pay the usual price, where the work is done. This, only, has been done in this instance. Now let us examine the quantity of rule and table work, and see the mode of computation. The Superintendent allows seventeen pages of rule and table work, and reckons each page to contain the same number of thousand ems. I will very soon show you how he runs into an error. The pages of the table work cannot contain the same number of ems because printed in different sized type: as you will see some of the letter is smaller than the other. The first eight pages are in Bourgeois (beginning at "Territorial Treasurer" and meaning to and including page 202 of the folio. These eight pages each are 65 ems long and 34 ems wide, making 2210 to a page, and in the eight pages making 17.680 ems: and according to the custom of printers this amount is doubled making in all 35.360 ems, while the Superintendent only allows 18.200 ems. For this work Messrs Collins & Davis were obliged to pay <u>double price</u> to the compositors, and so they charged the government, which, under the circumstances I believe was correct. Now we will look at the next five pages. These you can see, without a printers eye, are in a smaller sized letter and hence the page must contain more ems. The five pages begin at the "<u>Report of the treasurer of the Territory of New Mexico</u>." You will also observe that the lines, that is the printed matter, are a little longer and a little wider. This sized letter is called <u>Brevier</u>, and the ems are smaller than the ems of the <u>Bourgeois</u>. The lengths of the lines in these

page is 72 ems and the width 37. being seven longer and three wider than a page of the Bourgeois. This gives to the pages 72 multiplied by 37. 2664 — five pages makes 13.320: and doubled as before makes 26.640. The Superintendent allows for these pages only 11.375. Now without doubling the matter as we have done the pages would give 1.945 more ems than he allows. Here you must readily see that the Superintendent has fallen into an error. For this composition also Messrs. Collins & Davis were obliged to pay the hands double wages. The remaining four pages of the tables contain more matter than the last: they are in Brevier, and of the same length, but you will observe the printed matter is much wider, you can readily see by a comparison of the two leaves I send enclosed. These pages begin at "Abstract A Territory of Alta Mexico." Now, if you will place these two pages together you will at once see that one is nearly a half wider than the other, and a trifle longer. The Superintendent cannot mean to say, that these two sized pages contain the same number of ems and no more; and yet he has only allowed them the same. The real measure of this page in the stick, was 74 ems, and the width 53 ems, which multiplied together give 380.4 and the four pages make 15.392. This work being yet more troublesome than the last mentioned Brevier was increased three times, according to the custom of the printers which gives 46.176. For these four pages the Superintendent has allowed only 9.100 when the fair computation, without increasing them three fold, is 6.292 more than his allowance; for this work Messrs Collins & Davis were obliged to pay the Compositors three prices that is, to allow them for three ems for each one set. The only difference between the Spanish and English tables is, that in the Spanish there are 18 pages of Bourgeois, instead of part in Brevier, and there are only four pages of Brevier commencing at the "Abstract." In addition you must take into consideration the shrinkage of the paper, which allways equals about an em in width, and nearly two in length. If you will place the head I send enclosed upon a page of the Journals and measure, you will see that the printed line has shrunk away about the space of one em, and in length the same in proportion, which will readily explain the difference in the computation of ordinary matter. The above, I hope, will explain the discrepance in the computation of the table work.

We next come to the Laws; and I will explain how the difference in Computation arrives there. The body of the page is in small Pica, and is 57 ems long by 28 wide which gives to the page 15.96 ems: the paper leaving shrunk a little the apparent measurement would not, of course, appear quite so much, and according to the computation of the Superintendent the number has fallen off a trifle. In this and the printers Computations of side notes, there is more difference in Calculation, In regard to side notes I will make the same remark as I did in relation to the rule and figure work, which is, that no price had been fixed by the Legislature for this description of work, and in the absence thereof, the government was charged accordingly to the custom of the offices, in which the work was done, and according to the opinions of the printers. Was this more than just and right to all parties?

These side notes, you will observe, are in the sized letter which printers call Brevier, and which by the rule of the craft is always charged a higher price than small Pica, and when no rates are agreed upon between the customer and printer, then that is known to be usual is always charged. In this I am borne out by the manner in which the U.S. pays for public printing done in Washington, See act of Congress August 26. 1852. The Laws p. 83 sec. 8. There you will observe that the justness of a higher rate for Brevier, over small Pica, is acknowledged and recognized by Congress; but Congress saw proper in making the law, to dispence with the customs of printers in this particular, and fixed the rate to be allowed for Brevier over and above small Pica; which is an increase of one third in favor of the Brevier; for while the latter is allowed $1. per page in Washington, the former is fixed at $1.50 which concedes the right for the printer to charge more in one case than in the other. This however is for plain work, in Brevier; and sides notes are much more troublesome and required double the care to arrange. In the same connection you will please observe that the same law allows rule work in Brevier double the price of small Pica, plain matter; which is what the printers have charged the United States for this kind of work, except for the eight pages of the Abstract tables. Now, if this rate of increase is fair in Washington, and sanctioned by law, would it be any thing but just to make the same allowance here? particularly after the bills have been paid and rendered in good faith. Let me ask that these references be well considered.

The Superintendent allows only the same number of ems in the body of a page of the laws, as in the journals, while the former are three ems more in length, as can be seen with the naked eye. His computation in this particular cannot be correct. The side notes according to the calculation rendered are 76 ems long, and 10 wide; multiplied together they make 760 and doubled 1520, in which manner the work was paid for and charged to the government. The difference between the charge here, and that allowed at Washington, is equal to the difference between one half and one which is an increase of just one half over the fixed rates, which is no more than a fair compensation where left to custom. An objection is made by the Superintendent to the four or five last form which are charged the same rates as the balance that have the side notes, which I have always found to be the customs of printers; and that where part of a work is printed with side notes, the balance is computed the same, this is the printer rule and the labor & trouble about the same as with the side notes. The Superintendent does not allow anything for the covers of the Laws or Journals — when there are four pages of composition in each journal, and eight in the Laws, because that number would not take the place at the same time. The printer pays for the composition of the backs, and has as much right to charge for the same, as for any other part of the work. There is a disallowance of 3% taken off press work in the Laws — this is an error in the computation of the Superintendent. In the Laws there are just 44 forms of 7 sheets each, and in addition there are 3% sheets in the covers, which he has overlooked. I desire to call your careful consideration

to the letter of Mr. Drew, the Printer in the Gazette Office where the public work is done. He, as well as Mr. Miller, are most accomplished printers and men of high character, and the statement, made by one or both are entitled to great credit.

The lead and guage I send you are the standard measure for the length & breadth of a page of the Journals printed matter, being 38 by 54 ems, and you can easily tell by that how much the line of printed matter has shrunk after being dried; and in the computation I desire the Superintendent in the future, to bear this in mind If the 38 lead em used by the Superintendent for the same sized small Pica, in measurement differs any from this. I would like you to forward me one, that the printers here may have the same as a standard.

In order to avoid, in the future, any difficulty in the computation of the public work, I desire that you will fix a price wherein more has been established. Before this season the work has been plain Small Pica for this the rates are established and are satisfactory but every year there must now be more or less Brevier plain and rule and table work, as well as the same in Bourgeois. You will see in the act of August 26–1852 & (2) in the list of prices for the public printing as allowed by Congress, that Small Pica rule is allowed one half more than the plain; Brevier Plain is allowed the same as Small Pica rule and Brevier rule is one third more than Brevier Plain, and double Small Pica plain, and Bonpareil rule is three and three quarter times the price of Small Pica plain. There is but a small quantity of work to be done in these sorts mentioned, but the printers have to pay higher for the composition, and it is no more than just that the government should pay the same advance in proportion that is paid for public work in Washington. The Brevier and Small Pica rule are used for tables, and the Brevier plain for side notes. Now, I would ask respectfully, that the prices for these descriptions of work be advanced over the same Pica plain– English and Spanish, in the same proportion, to that now paid here, as the advance is made in Washington. This would give English– Small Pica rule $3.25. Brevier plain $ 3.25. Brevier rule $3.00. Small Pica rule (Spanish) $3.75. Brevier plain $3.75, and the Brevier rule $500. It will be noticed by the Honorable Comptroller that the rate fixed by Congress are so much per page, Octavo, of 1.600 ems, and my estimate is according to thousand ems– it equally shows the principle, however, that small Pica rule is one half higher in price than Pica plain, and Brevier rule one third higher than Brevier plain. The Superintendent will be able to give information what should be the difference in prices between the various kinds of work herein specified and plain Small Pica. These established prices will obviate all trouble in the future; be pleased to fix some rates that the printers may have a certainty to govern them. I desire you to exhibit to the Superintendent this communication, that he may understand the whole matter– the manner of Charges, Computation &c.

I have thus considered the matter at length in order that Mr. Massey might have full justice done him; and at the same time I desire such further instructions in the premises as will enable me to avoid difficulty in the future. Be pleased to place the entire matter before the Hon. 1st Auditor

for his consideration. In my last I wrote you in reference to the reprint of the laws since that time I have seen the act of Congress authorizing the work to be done. I was compelled to purpose of Mr. Collins fifty copies of the first volumes of the laws. there being none in this office for the use of the members of the two houses. I got them for $3. a volume, the usual price being $5. I could do no better, and the act will meet your approbation.

I remain
Yours Respectfully
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary of Territory's office.
Santa Fé, New Mexico Nov 30-1854.

Honorable Elisha Whittlesey
Comptroller U.S. Treasury
Washington D.C.
Sir;

Herewith, enclosed, I have the honor to send you, for your approval, the contract I have made with James L. Collins Esquire, to do the public printing that may be ordered at the approaching session of the Legislative assembly. I would again respectfully suggest that you fix a reasonable price for such work as side notes, column, table and brass-rule work, that there may be no difficulty in regard to the same in time to come. That description of work is always higher than plain matter, and the printers are obliged to pay the compositors more wages for the same, I would again refer you to the difference in the rates, as fixed by the act of Congress for the public printing; and the same increase allowed here, in proportion to the price paid for the plain matter, would, I think, be satisfactory to the public printer. There are only a few pages of table work (not more than 20) in each journal, Council, and the side notes to the laws, that can come under the increased prices, hence, the increased expense would not be much, and at the same time full justice would be done the printer.

I remain
Very Respectfully
Your ob't Servant
W. W. H. Davis
Secty. Terry New Mexico

Secretary of the Territory's office.
Santa Fé, N. M. December 2nd A.D. 1854.

Honorable James L. Deavenport;
Chief Justice of New Mexico,
Sir;

Enclosed, please find a letter of Lafayette

ment. from His Excellency Governor Merriwether, appointing you to revise, arrange, and codify the laws of the Territory of New Mexico, in one volume, conformably to the act of the Legislative Assembly, approved February 9th 1854; and you will signify your acceptance of the same.

I remain.
Very Respectfully.
Your Obt. Servant.
W. W. H. Davis.
Secty. Territory of New Mexico.

Secretary's office Territory of New Mexico
Santa Fe. December 30th 1854.

Honorable Elisha Whittlesey.
Comptroller U. S. Treasury.
Washington.
D.C.
Sir;

Enclosed. please find the bill of Messrs. Collins and Davis. for printing the House journals of the Territorial Legislature. for the session of 1852 and 53: and in accordance with your instruction. hitherto received, have paid them an amount. not quite equal to one half the cost of the work, as you will see from the receipt upon the bill. The deduction, of $6.12½, is made for five copies of the English journal. which I discovered fell short of the whole number (200) after the computation was made; and includes the paper. pressework, and the binding of the same which come to that amount. I also enclose an affidavit of Mr. Drew, a practical printer, as to the number of ems. tokens &c. and which I am confident is correct; inasmuch as I have made the computations myself with great care. The number of ems, in each volume, include 3000 ems for the covers of each. The pages measure 28 ems by 54 ems which gives 1512. but the printers have only charged for 1500 to the page; and in the Spanish copy. except in the first three or four sheets, an additional em in width was allowed, and not charged for. This margin was allowed. that there may be no further discrepence between the computations of the Superintendent of public printing. and the printer here. The natural shrinkage of the paper will make a difference of 50 ems to the page. as shown by the previous calculation of the superintendent of public printing. I also a copy in English and Spanish. of the work. The Legislature have ordered the journals of the present session to be printed. and for which I will estimate by the February mail.

I remain
Very Respectfully.
Your Obt. Servant.
W. W. H. Davis.
Secty. Terry of New Mexico

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Secretary's Office. Territory of New Mexico
Santa Fe. January 1st 1855.

Honorable Elisha Whittlesey
Comptroller U.S. Treasury
Washington
D.C
Sir;

I have this day adjusted and settled the claim of Messrs. Collins. Perea, and Armijo, in accordance with the joint resolution of the two Houses of Congress, approved July 27th 1854; and enclosed you will find a statement of the calculation upon which the allowance is made, and also copies of all papers relating to the same. I have also drawn drafts upon the treasury department, in favor of the respective parties, payable five days after sight, for the sums I found due them. If upon a careful examination of my calculations you should find the allowance erroneous, you can pay such portion of each draft, when presented, as you may deem just and proper. My reason for drawing drafts is because I have not enough money on hand to pay the amount; having only about $4000 in cash, the balance of my funds being in drafts which I have not been able to negotiate; and had I sufficient money on hand, to pay the sums awarded, the doubt in my mind, whether the whole will be allowed, would restrain me from the risk of paying the cash, until the account should have been approved at Washington.

You desire an authenticated copy of the agreement between the joint committe of the two Houses of the Assembly, and Messrs. Collins. Perea, and Armijo, at the time the money was loaned, should accompany the statement of the account. In reply I have to answer, that there is no such agreement in existance, as I have been able to discover; nor do I know of any agreement of the kind having been made at the time except from hereasay. The then treasurer of the Territory informs me that the joint committee made an arrangement for the money, which he received, and paid out upon warrants; but he further states, that it was the understanding at the time, that the loan, that the loan was to bear an interest of one and a half per cent. per month, although nothing of the kind was placed upon record. A copy of the letter of the joint committee to Mr Blummer, the treasurer, is herewith enclosed. You will see by the joint resolution of the two Houses, approved July 4th 1851, that when the Treasurer received the money, or any part thereof, he was authorized to give "any receipt bond or obligation," required of the persons loaning the money, in obedience to which he gave each person a certificate of the amount received of him, a copy of which is herewith enclosed,

It appears from the treasurer books, that of the $10.000, as loaned Mr. Allen refunded $6,519.12. leaving a balance due of $3.480.88. upon which you will see by the statement. I have calculated interest to the several periods when payment were made. Be pleased to advise me of the decision of the department in the premises.

Yours
very respectfully
Your obt Servant.
H.H. Heap Dept.
Ref. Dr. [illegible]

Secretary's Office, Territory New Mexico
Santa Fé January 15th 1855.

Hon Elisha Whittlesey,
Comptroller U.S. Treasury.
Washington,
D. C.

Sir.

I have the honor to transmit herewith, the vouchers &c. in the accounts of Messrs. Collins, Perea, and Armijo, for money loaned the Territory of New Mexico under the act of the Legislative Assembly, approved June 17th 1851, and the payment of which was assumed by the United States by act of Congress approved July 31st 1854. I forwarded the calculations in the case, by the mail that left here the 1st inst. which I hope reached you in due season. It was my desire to settle and adjust the claims at an earlier day, but it was impossible for me to do so, inasmuch as the ex-Treasurer of the Territory, Mr. Blummer, under whose administration the money was borrowed, was from home, and without whose presence I could not proceed to the settlement of said accounts: and as he did not return to Santa Fé, until late in December the delay in rendering said accounts was unavoidable.

There are two or three matters to which I desire to call the attention of the Treasury Department and would like some instructions upon the same, heretofore, but not during the present session a practice has been pursued in the Legislative Assembly which I think is wrong, and contrary to the best interest of the public service. Sometimes in the middle of the session and at others, when two thirds conc-luded, either house have excused one or more members, for the balance of the session, who have returned to their homes. At the same time the Speaker and Chief Clerk have given them a certificate of attendance, for the whole session, upon which they have been paid by the Secretary. According to my views of the matter, this constructive attendance should not be allowed, but that the members should should only be paid for the number days they are actually present, unless detained by sickness in their way, or after they shall have arrived at the place of meeting of the Legislature. Upon this point I desire instructions, that I may be able to act advisedly when a similar case shall be presented to me.

An act of Congress passed subsequent to the Organic Law (March 3rd 1853.) allows a translator and interpreter and two additional clerks in each house and provides "that of the four clerks to be employed in each house of said Assembly, two shall be qualified to write in the Spanish and two in the English language." In some particulars this law is not fully complied with. The object seems to have been, to provide each house with a competent translator and interpreter, in order that bills introduced in either, might be rendered into the other language, and in the same manner as regards motions made and any other business transacted, that all might have an understanding of what was being done. So far, the translators of the two houses have not been able to discharge what seems to be the duty imposed upon them, by the act of Congress, to-wit of translating the bills introduced into the two houses from one language into

the other. I am informed by Mr. Ellison, the Executive translator, that every bill and resolution is referred to him for translation, who, sooner that the Legislature should be without business, has generally done this work gratis. This matter has never come before me officially, or I would have deemed it my duty to refuse payment of said officers. I have felt a desire to remedy the matter but under the circumstances my hands were tied, and I could do nothing. The two houses seem to possess the right to judge of the qualifications of their own Officers, and when properly certified to me. I felt obliged to pay them. Under my instructions, I would not have been justifiable in going behind the certificate of the Speaker, attested by the Chief clerk and by doing so would have assumed upon myself an unusual power.

In reference to the clerks, it is not always the case that two in each house are good English scholars. Two of them can generally write a little in English but by no means can be said to understand the language, and some of the number cannot write a dozen lines, correctly, in any language. I desire instructions upon these points including the extent I will, in the future, be authorized to go, in judging of the qualifications of these Officers. Be pleased to lay the matter before the Honorable Secretary of the Treasury, and ask his opinion in the premises. I am confident the government is imposed upon, and I would be pleased to have it in my power to remedy the matter in the future.

Enclosed you will also find Copies of two resolutions of the House of Representatives, directed to me as Secretary of the Territory, and of which I took no notice. I have no authority to comply with their order to have the journal of the House published in the news Paper here, and as regards my instructions. I do not recognize any right in them to interrogate me in regard to them, all of which I hope will meet your approvation.

I remain
Very respectfully
Your obt. Servt.
W. W. H. Davis.
Secty. Territy. New Mexico.

Secretary's office, Territory of New Mexico.
Santa Fe, January 19th 1855.

Honorable Thomas L. Smith,
First Auditor U.S. Treasury,
Washington,
D.C.

Sir; I have the honor herewith to transmit, enclosed, the accounts current and vouchers in the settlement of the account of Messrs. Collins, Perea and Armijo, for money loaned the Territory of New Mexico, the payment of which was assumed by the United States by an act of Congress, approved July 27th 1854; and the adjustment and settlement of which said account, I have duly ~~informed~~ notified the Honorable First Comptroller of the United States Treasury.

I remain,
Respectfully,
Your Obt Servt.
W. W. H. Davis.
Territory of New Mexico.

Secretary's Office, Territory New Mexico
Santa Fé January 25th 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington
D.C.

Sir.

I have the honor to acknowledge the reception of your favor of the 14th of December and directed to Wm. S. Messervy as Secretary of the Territory requesting a Copy of the Statutes of the Territory. It affords me pleasure to comply with your request; and herewith I send you a Copy of all the printed Statutes, now in force, which I furnish from this Office.

I remain
Very Respectfully
Your ob't Serv't
W. W. H. Davis
Secty Territy of New Mexico.

Secretary's Office, Territory New Mexico
Santa Fé January 27th 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington
D.C.

Sir:

Enclose please find a voucher for the printing and paper of the Council Journal of the Legislative Assembly, for the Session of 1852-53 one half the amount of which, I have paid Messrs. Collins and Davis, and taken their receipt for the same. Also find enclosed a voucher covering the Contingent expenses, for printing, for the Assembly, with specimen of the work, one half of the Cost of which, I have in like manner, paid to Messrs. Collins and Davis. Affidavits, as to the Correctness of the Computation of the work, are herewith forwarded.

The Legislature Assembly have passed a Resolution authorizing the printing of the Journals of the respective houses, and herewith please find an estimate of the Cost of the same, and well as for the Cost of the Council Journal of the same Session 1851, and the Sessions of 1851 and 52 and 1852 and 53 which, heretofore, have not been estimated for. The Legislature will adjourn on Thursday the first day of February; and after paying the expenses of the same, and other Current expenses for the same Session. I will have on hand about twenty eight hundred dollars. My accounts will be forwarded by the march Mail, in which a full exhibit will be made of all the public money placed in my hands, since I have been in office.

Estimate.

Printing Council Journals of Sessions 1851 & 2 and 52 and 3. E. & S.	$1775.00
" " " June Session 1851. S. & E.	875.00
Translating Councils jls. 51 & 52, and 52 and 53	75.00
" " " June Session 1851	50.00
Preparing Council jls. 51, & 2, and 52, & 3, for the press (Spanish Copy)	75.00
" " " June Session 1851.	40.00
Printing Council jls. of Session 1854 & 55. S. & E.	2800.00
" House " " " " " "	3500.00
Preparing the Spanish Copy of both jls for the press	300.00
	$9490.00
Deduct Amount on hand about	2800.00
Amount required (say $7000.00)	$6690.00

I would like the drafts sent so as to reach me by the April mail, which they can do, if they are mailed by the middle of March; and it will facilitate my receiving the upon them, if some of them are drawn for a thousand dollars each, and the balance in twos, all payable in Saint Louis. I am happy to be able to state that I have been able to reduce the contingent expenses of the Assembly considerably lower than they were last year: which I am sure will meet the approbation of the Treasury Department.

I remain
Very respectfully
Your Ob't Servt
Wm. H. Davis
Secty. Territy. New Mexico.

Secretary's Office, Territory of New Mexico
Santa Fé February 20th 1855.

Hon. Thomas L. Smith.
First Auditor U. S. Treasury.
Washington
D.C.

Sir:

Herewith, I transmit an account of my disbursements as Secretary of the Territory, from the time of my assumption of the duties of said Office, on the first day of last August, (1854) up to the first day of the Coming March.

A few words of explanation are required on reference to the pay of Felipe Sanchez, a member of the House of Representatives. He was excused by the House, three days before the adjournment by reason of being elected an Officer of a volunteer Company about to be mustered into the service of the United States. I then made the last payment and took from him a duplicate voucher for the whole time of Service including mileage-

which he duly receipted. the money being paid by Webb & Kingsbury, on an order drawn in favor of said Sanchez. The voucher was lost, and as Sanchez is now in service in the Indian Country, it is impossible to procure another one from him, hid reason to send with my accounts. In lieu of the consolidatide voucher and certificate, I send those taken at the periodical payments, made every tenth day during the session, And the order on Webb & Kingsbury my banker, for the balance of his perdiem and mileage, being for ten days, And one hundred and seventy five miles at fifteen cents per mile. I hope to be able, by the next mail, to forward the Consolidated Voucher And Certificate.

I remain
Very respectfully
Your ob.t Sv.t
W. W. H. Davis
Secty. Terrty. of New Mexico.

Secretary's Office, Terrty New Mexico
Santa Fé February 21st 1855.

Honorable Elisha Whittlesey,
Comptroller U.S. Treasury,
Washington.
D.C.

Sir;

Herewith, I forward to the Honorable First Auditor of the U.S. Treasury, an account of my disbursements, from the time I entered upon the duties of this office, up to the end of the present month. I am happy to be able to state, that I have considerably reduced the Contingent expenses of the Legislative Assembly, below former years, which must meet the approbation of the Treasury department. In all my expenditures I have looked carefully after the government's interest, and at the same time been as liberal as the public service required.

I desired your sanction for a small increase of the compensation now paid Juan Elisbaco Tapia porter in this Office, which is not asked for ~~without~~ good and sufficient reasons. Although he is paid as porter only, at $25 per month, all the Secretaries have been obliged to make use of him as a Clerk, as which his whole time is employed; and so indispensible are his services to the Office that a Secretary could not do without him. He is a young man of good education — a good Spanish Scholar, and understands something of English, which he writes with Considerable facility. He was reared in this Office, and was found in it when the Americans took possession of the Country in 1846; and because of his intelligence and usefulness he has been retained ever since. The old records of the Office are all in Spanish, and frequently referred to; they extend through a period of two hundred years, and there has never yet been an Officer, in this Office, who could find a document from among this mass of papers, and decipher it, when found without his assistance. The Clerical duties, he renders are now gratu-

stons; but if they could not be had the Office would need a Clerk at, salary of about $800 a year under these circumstances, and in view of the services he renders, I would respectfully solicit that his Compensation be increased to $40 per month.

I remain
Very respectfully
Your obt. Sont.
W. W. H. Davis
Secty Terrty of New Mexico.

Secretarys Office, Terrty of N. Mexico
Santa Fé Feby. 23 1855.

Honorable Elisha Whittlesey.
First Comptroller U.S. Treasury.
Washington
D. C.

Sir.

I have the honor to acknowledge the reception of your favor of the 27th of December last, touching the bill I forwarded of Messrs Collins & Davis for printing the House Journal of the session of 1853 and 54. In speaking of my paying the whole amount of the bill you remark. "This is not the Course indicated to be pursued, as pointed "out in my letter to you on the subject. I fear you may have misconceived the "import thereof." In reference to this matter I have the honor to remark, that this bill was paid And the voucher forwarded to Washington, before I received your instructions not to pay more than one half upon the completion, the payment of the balance depending upon the Computation of the Superintendent of the Public Printing at Washington. This bill in accordance with the practice of my predecessor, was paid in September, And your letter, advising a different Course, namely, the payment of not more than one half, was not received — until late in November, nearly two months afterwards. Hence it will be seen — that I acted with the best light before me.

Yours of October 10th with instructions upon these points I fully understood, and since then, as my vouchers will exhibit, have acted in accordance therewith. I can well see the propriety of reserving the payment, in part, until the work has been examined and allowed at the department, and I think the rule you have adopted in this particular a good one.

In reference to the revised Code, to be printed, and concerning which you promised to write me in a few days, in yours of the 27th of December, but which Communication has not come to hand, I would remark that it is now in course of preparation for the press. By virtue of the act of the Assembly, the Governor has appointed a suitable person to codify the laws and arrange them for publication which matter the Governor has laid before the Treasury department.

I remain very respectfully, Your obt. Servt.
W. W. H. Davis
Secty. Terrty. New Mexico.

Secretary's Office, Territy. N. Mx.
Santa Fé February 28th 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington City
D.C.
Sir.

Enclosed please find the bill of Messrs. Collins and Davis for printing the Council journal of the Legislative Assembly for the Session of 1854 and 55. And, in accordance with your instructions in that particular have paid $500 on account of said bill and taken their receipt for the same. A copy of the work in English and Spanish is forwarded herewith; as also an affidavit as to the correctness of the Calculation.

I remain
Very respectfully
Your obt Servt
W. W. H. Davis
Secty. Territy. New Mexico.

Secretary's Office, Territy New Mex.
Santa Fé March 20th 1855.

Hon. Thomas L. Smith.
First Auditor U.S. Treasury
Washington.
D.C.
Sir.

Please find, enclosed the voucher of Felipe Sanchez, member of the House of Representatives at the last session. When I made up my accounts for Legislative expenses, this voucher was missing, as I then informed you in my letter, but since that time, I have obtained it, and forward it herewith enclosed.

I remain
Very respectfully
Your obt Servt
W. W. H. Davis
Secty Territy. New Mexico.

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Secretary's Office, Terry. New Mexico,
Santa Fé March 28th 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington
D.C.

Sir?

Enclosed, please find the bill of Mr. Collins, for printing the Laws of the Territory, passed at the last session of the Legislative Assembly, and upon which I have paid one half the Amount, $500. and taken a receipt for the same. I regret the bill of Messrs. Collins and Davis for printing the laws of the Session of 53 & 54 had not been finally adjusted in order that the printers could have known what allowance would be made for side notes over and above the composition of ordinary plain matter. In the absence of any decision in reference to such charges, Mr. Collins, has added one hundred per cent additional for the side notes which you will be able to understand from the form in which the account is made out. The printers here contend that this addition is the usual rule of charging among the craft, for such description of work, and that it is right and just; and also, that where the great body of the work has side notes, the same manner of charging is adopted for the remaining pages, without side notes, as though they had them, but in the present bill this method has not been resorted upon and the 82 pages without side notes are rated as ordinary matter. I feel confident that some additional allowance should be made, for side notes but it remains for the honorable Comptroller to determine how much that additional should be.

In reference to the unsettled account of Messrs. Collins & Davis for printing the laws and Council journal of the session of 1855. and 54. I would remark that they are willing to refund to Mr. Messervy whatever amount may be stopped against him. The account was made out in good faith, and the method of charging, for the work done believed to be fair and just; and under no circumstance, can he be allowed to lose a dime by the operation.

— In support of the fairness of the Charge of one hundred per cent addition in the rule and figure work in the Council journal. I beg leave to call your attention to the following extract from your letter to late Secretary Allen, bearing date the 11th of March 1852, and omitted when I wrote you before. "The proposition is for one hundred per cent addition to the above rates for rule and figure work. It is common to make that addition for rule and figure work, but for figure work only without rules, the usual addition is but fifty per cent, and I will observe that nearly all the figure work should be set without rules" This seems to sustain the opinion of the printers here, and is what they contended for. I can find no instructions from the department, on file in this Office, requiring a further recognition of this rule: and if any such have been given

I would be pleased to be furnished with them anew.

I remain
Very respectfully
Your ob't Serv't
W. W. H. Davis
Secty. Terry. New Mexico.

Secretarys Office, Terrty. New Mexico
Santa Fé March 29, 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington
D.C.

Sir:

I have the honor to acknowledge the reception of your favors of the 15th and 17th of January, in reference to a reprint of the Laws of the Territory, and have carefully considered the matters therein submitted. I have also laid these two letters before the Governor and taken his advice in relation to the subject matter.

In regard to the number of Volumes of the revised code, to be printed I do not think more than five hundred will be required: and in this, I am sustained by the views of the Governor. The number of officers in the Territory entitled to receive copies will not exceed one hundred and ~~twenty~~ five in number, all of whom are obliged, by law, to turn the same over to their successors in office. Five hundred copies would thus furnish to each officer entitled to receive them, four separate books, in case it should be necessary to supply them mor than once, and with ordinary care, this number should last twenty years. In view of the scarcity and high price of paper here, I am of opinion that to print a greater number than five hundred copies, would be almost a useless expenditure of public money, and not required for the good of the service. If under the circumstances, you should be of opinion that an additional number should be printed the increased cost would be no more than the paper, press work and binding. Governor Meriwether has appointed a suit able person to codify and arrange the laws for the press, of which he duly informed the department.

In relation to the style of binding, after consulting with the Governor whose views meet my own, I would remark that half binding in sheep, will be sufficient, both as to durability and appearance. This style of binding the public printer cannot afford to have done here for less than 75. or 87½ cents per volume. There is no book binding establishment in the country, and the work will have to be done by the foreman of the printing office who understand the business. The printer will have to pay him from 37½ to 50 cents per volume for binding; besides the cost and expense of sending to the States for the materials for the backs, and the necessary apparatus

used in binding. This will amount at least to 12 or 15 cents the volume in addition. The work can be well done however, in this manner; and in view of the situation of things, I would like you to fix the price that I should allow. The volume will number about six hundred pages, including the index in both languages, and the labor and trouble of binding will be greater, than in the states. The work will be printed with new long primer type and upon good clear paper.

I remain
Very respectfully
Your Ob't Servt
W. W. H. Davis
Secty. Terrty. New Mexico.

Secretarys Office Terrty of N.M.
Santa Fe April 21st 1855.

Hon Elisha Whittlesey
First Comptroller U.S. Treasury
Washington
D.C.

Sir:

Enclosed please find the bill of Collins & Davis for printing the Council journal of the June Session 1851, amounting in the whole, to the sum of $82.66, and of which I have paid $4.50, and taken their receipt for the same.

In looking over the voucher of Messrs Collins and Davis of January 29th last for printing the Council journal of the Session of 1852-and 1853 I find a slight error was made, in favor of the United States. The paper Charged for, in each volume, was 1 ream, 13 quires and 7 sheets whereas it should have been, 1 ream 13 quires and 7 sheets, making a difference of two reams or $1.60, in favor of the United States. If the Superintendent of public printing should not notice this error, I will correct it when I come to pay the balance of the bill.

I remain
Very respectfully
Your Ob't Servt
W. W. H. Davis
Secty. Terrty. New Mexico

Secretary's Office, Secretary of Territory
Santa Fe. May 28th 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington
D. C.

Sir.

I have the honor to acknowledge the reception of your favor of the twentieth of April, enclosing the bill of Messrs Collins & Davis for printing the House Journal of the Session of 1852 and 53 with the finding of Mr. Clayton touching the same. The balances, as found due according to the Computation of Mr Clayton, will be duly paid whenever I have funds on hand for that purpose.

I think the appointment of a practical printer as examining Clerk in the Comptrollers Office, was highly necessary, and the arrangement is entirely satisfactory to our printers here. The difference in thousand ems between the computation of the printers here, and that of Mr. Clayton makes about the ordinary shrinking when measured on the doz page; the measure rendered here was made in the stick. Hereafter our printers will make an allowance for this shrinkage. I see that the price per stitching & binding is only allowed at 37 cents instead of 37½ as charged; I believe the prices fixed at the department specify 37½ cents but of the fractional part of the cent is not recognized. Be pleased to inform me that I may not allow it in the future, I would respectfully suggest, that the Clerk has erred in fixing the cost of the five copies short of the English copy of the Journal. He includes, in the same, the five two hundred part of the cost of composition, which seems to one should not be. When the type is once set up, the cost for any additional given number is the paper, press work, and binding- the cost of composition being the same for one hundred and ninety five, as for two hundred copies. Be pleased to call Mr. Clayton attention to this point

I remain
Very respectfully
Your obt Servt
W. W. H. Davis
Secty Terry. New Mexico

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Secretary's Office, Territory N. Mexico.
Santa Fe May 28th 1855.

Hon. Elisha Whittlesey,
First Comptroller U.S. Treasury
Washington. D.C.
Sir:

I have the honor to acknowledge the reception of your favor of March 21st in relation to the translators and interpreters of the two Houses of the Legislative Assembly, and the constructive presence of the Members thereof and have duly noted the contents.

I remain very respectfully —
Your obt Servt
W. W. H. Davis
Secty Territory of New Mexico.

Secty's office, Territory New Mexico
Santa Fé May 28th 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury
Washington City. D.C.
Sir:

I have the honor to acknowledge the reception of your favor of the seventh of April, touching the payment of my salary from August first. The explanation, as made by you of the mode of computing the fractional part of a quarter, is entirely satisfactory to me, and I am convinced that I was in error as to the same.

I remain very respectfully
Your obt Servt
W. W. H. Davis
Secty Territory of New Mexico.

Secretary's Office Territory New Mexico
Santa Fé May 28th 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir;

I have the honor to acknowledge the reception of your favor of the seventh of April, in refference to the settlement of my accounts for payments made in full of balance of loan authorized by the first Legislative Assembly, with information that the same have been adjusted at the Treasury department. The transactions, touching the payment of said loan were not carried into my general accounts, but were kept separate.

Enclose please find a Certificate of Mr. Blumner, former Treasurer of the Territory touching the points of enquiry made in your letter and which I hope will prove satisfaction. Mr Richardson is not in the Territory hence his certificate, to the same matters, could not be obtained. I am pleased that the detailed statement of the loan and interest" as made by myself and the information otherwise furnished by Governor Meriwether and myself assisted in the examination of the accounts.

I remain very respectfully
Your obedient Servant
W.W.H. Davis
Secty. Territy New Mexico.

Secretarys office Territy N. Mexico
Santa Fé May 28th 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.
Sir.

I was much disappointed in not receiving by the last mail, the drafts for which I wrote in February, and a second time in March. I have been out of money for nearly two months, other than that which I have been able to borrow upon the faith of drafts which I promised would arrive in the Texas Mail, If funds do not arrive in the next mail, I will find myself much embarrassed, as I will neither have money nor drafts to refund to those from whom I have borrowed; and at which time I will be obliged to refund the one or the other. If you have not already done so, I would like you upon the receipt of this to send eight or ten thousand dollars in drafts upon St Louis, three or four of the same being in the sum of five hundred dollars each. I find myself much embarrassed, in getting any drafts cashed these days Mr Meriwether. He was a merchant, did large business and always had a considerable amount of cash on hand, so that he could

cash his own drafts; or if the drafts did not come at the appointed time it made no difference to him and he was never embarrassed on account thereof. With me the case is different. When drafts come to hand I am obliged to run round and hunt up the money at considerable trouble, and consider myself fortunate if I can persuade people to take my draft and very frequently I am the accommodated party in getting the money and not they in obtaining the drafts.

There are two paymasters and a Quarter Master and Commissary of the Army in Santa Fé, who disburse several hundred thousand dollars annually; they obtain all their money on drafts hence the great struggle as to whom shall get the disposable cash. I would suggest, in order to remedy this difficulty, in some measure that I be authorized to draw on Saint Louis in the same manner the Governor for the Indian and contingent expenses draws upon Washington, I can frequently get three or four hundred dollars of individuals if I could draw for that amount; but as my drafts are in sums of a thousand dollars, I can obtain nothing under that amount, because I can not accommodate the person who has the money. The disbursing officers of the army draw for any amount, and thus have a decided advantage. I see no reason why it would not be as safe for the Secretary to draw, as for the Governor; and he is of the opinion the same rule would be adopted towards the Secretary. From time to time a certain amount of money could be deposited with the Assistant Treasurer at Saint Louis, subject to the order of the Secretary of the Territory. Be pleased to lay this matter before the Honorable Secretary of the Treasury, and if my suggestions should be adopted, send me a blank check book, if such is the custom, with the necessary instructions.

I remain very respectfully
Your obt. Servt.
W. W. H. Davis
Secty Terry. New Mexico.

Secretary's Office, Territory New Mexico
Santa Fé June 22nd 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.
Sir

I have the honor to acknowledge the reception of your favor of April 24th advising me of the adjustment of my accounts at the Treasury Department, and exhibiting a balance due the U.S. of $669.63 over and above the drawing of said accounts. Knowing the items that go to make up this difference there is one of $500 paid Colonel Elliott for Contingent Expenses and Journals of the last Session, and another of $35 paid Simeon Olivares Esqr for distributing the Journals of the same Session.

That I am greatly surprised at the stoppage of one of these items and the suspension of the other, you may readily imagine inasmuch as similar items had been allowed my predecessors in office. In reference to this matter I have to remark as follows.

The first and most important item is the payment of $500 to Mr. Ellison, about which the accounting officer has certainly erred. You state this sum to be "for services as translator for the Assembly" which is not the case, nor does the voucher specify the same. I have never paid one dime to any person for translating for the Assembly beyond the per diem allowed the translator and interpreter of each house. The voucher, in this case, specifies the payment to have been made for "translating the laws, and journals of the Council and House of Representatives of the Legislative Assembly of the Territory of New Mexico of the session of 1854 and 1855." And was done for the Secretary's office and not for the Assembly. My predecessors in office had been allowed to pay $500 each year for this work, and the account for the same was always passed. I beg leave to call your attention to Voucher No 20, abstract C. February 25th 1854, and Voucher No 5, abstract C. June 5th 1854, in the accounts of Mr. Messervy which embrace the same payment, or at least for the rendition of the same services. He paid at two different times, and took two vouchers, while I embraced the whole in one, because the work was about Completed at the time I made up my accounts. The only difference in our vouchers is, that he mentions the "Governor's Message and accompanying documents" as part of the work done, which can make no difference, when the work was identically the same.

In support of this disallowance you refer me to your letters of March the 21st and 22 last. I have carefully examined these two letters, and find the following paragraph in that of the former date, but which, as I conceive treats of another subject, and has no bearing upon this question. The subject matter of that letter was in relation to the Translator and interpreter of the two Houses, and their Competency. As a concluding paragraph you remark. "I may say that previous to the act of March 3rd 1853, a translator was paid as such; and as an interpreter, a certain sum for each session, under instructions from this office. The rate now payable, is the same per diem, allowed the Clerks &c." The evidence is here very plain, that this paragraph has reference to the two Translators and interpreters, the two Houses have a right to elect among their own officers, and not to the person employed to translate the laws and journals for publication.

In this connection I will call your attention to a letter addressed to Mr. Greiner from the Comptrollers office, dated May 24th 1853, in which is the following. "The accounting officer can not recognize the validity of the Territorial act authorizing the appointing of a translator by the year, at an annual salary of $2000, and hence cannot recognize the legality of the payment of $300 made on a quarter salary from Oct. 7 1852 to July 7 1853, but will allow a reasonable sum for translating the laws and journals for publication, on the grounds being properly stated showing the work done" On the 30th of Oct 1853 Mr. Messervy wrote the Acc. Comptroller [illegible]

the enquiry as to the allowance he should make for this work; when the following was written him in reply, of the date of September 6th. You will be regulated in paying the translator by my instructions to Mr. Allen which authorized the payment of $500 and no more."

These two letters clearly settle the question, and most certainly authorize the Secretary to employ some person to translate the laws and journals for publication at a sum not to exceed $500. By however, after the act of March 3rd 1853 no such allowance was to be made, by the Secretary. I am at a loss to know that this correspondence, about a translator means, and how it occurs that this payment was allowed both to Mr. Greiner and Mr. Mellroy in the settlement of their accounts, if not authorized by instructions. The accounting officer should not by their own acts, sanction repeated expenditures by the allowance of accounts, backed by their instructions and then at a subsequent period refuse the same item to a successor in office, where payments were the same as those of his predecessors. If I am not allowed to pay a person for translating the laws and journals for publication, I would like to have some tolerably feasible plan pointed out by which I can get this work done. I am not able to do it, if it was part of my duty, and it could not be expected that a third person would be willing to do the work for nothing. I deem it useless to say more upon this point, because if what I have already written will not have proved the account to be a just one, it cannot be done.

The second item is the payment of $35 to Juan Elumaco Tapia for distributing the journals. When Mr. Mellroy left this office he informed me he had made such a contract with Tapia and that such payments had been allowed upon the faith of which I paid the money when the service was performed. For evidence that such items had been previously allowed, I beg leave to refer you to Voucher No 8 Abstract C. August 3d 1853, and Voucher No 1. Abstract C. March 25th 1854 in the accounts of Mr. Mellroy. Here you will notice that the allowance is double that which I paid for about the same service. There seems to me a substantial reason why the cost of distribution of the laws and journals should be paid from the Legislative fund. It seems as much a contingent expense of the Assembly, as the printing itself, and in fact, is part even of the printing item. Without the distribution it could be useless to print them and then is no other fund to make this payment from. The Territory has never made an appropriation for this purpose, and probably would not; and the truth is, she cannot now meet more than one half the demand upon her treasury. I have paid $21 for distributing the laws of the past session, but shall pay no more until I hear whether such payments will, in future, be sanctioned.

In conclusion upon these two points I would respectfully state that if the United States do not see proper to pay these items, I am able to do so, but would suggest that in coming years there may be a failure in the publication of the laws, inasmuch as I shall not feel disposed to incur the expense of their preparation for publication a second time out of my private funds.

In regard to the deficiency of $134.63 the difference in the calculation of the House Journal session 1852 and 1853, I would state that I will pass that amount to the credit of the United States on the next rendition of my account. Said

item of $500. Shall not charge myself with credit Shear from your agaicn advise that subject.

I Remain
Very Respectfully
Your obt. Svt.
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's office Terry. New Mexico
Santa Fe June 22nd 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.
Sir:

Your favor of April 21st enclosing certified computation of the bill for Miscellaneous printing done for the last session of the Assembly, came duly to hand, and I have the honor to reply to the same. The diffence is noted and payment of the balance will be made accordingly. Three cents per copy was charged for folding and stitching the Message because that amount was allowed Mr. Medberry last year, and I understood him to say that price was fixed at the department. If only 1½ cents will be allowed in future, please inform me of that fact, that I may be governed thereby. The difference in ems is accounted for, very readily; the deduction made at your office per page, is the usual shrinkage and also Mr. Clayton has only allowed twelve pages of printed matter, whereas the printers here charged for fourteen. There will always be a little difference between the computation in the stick, and in the dry page; the compositors are paid according to the former and the public printer is allowed according to the latter method hence the printer must always lose a little. The bill, although small in amount, is as large as the public service required the past session.

I Remain
Very Respectfully
Your obt. Svt.
W. W. H. Davis
Secty Terry New Mexico

Secretary's office, Terry. New Mexico
Santa Fe June 23rd 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.
Sir:

I have the honor to acknowledge the receipt of your favor of the

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30th of April in reference to the stoppage in the accounts of Wm. H. Wheeler, on account of the printing bill of Nelson Collins & Davis. The finding of Mr. Clayton is adopted and an endorsement thereon, to that effect, the same being returned herewith enclosed. I also send, enclosed, a receipt from Mr. Meserey for $962. 80. the balance found due the United States, and have charged myself with that amount; and have also forwarded a duplicate receipt to Mr. Meserey.

This closes this matter, and Messrs Collins and Davis are glad it is settled. They received payment upon the vouchers, in question, with the express stipulation that it was subject to the approval of the First Comptroller, and they always held themselves responsible, to refund any stoppage that might be made in the account. This they now comply with, and Mr. Meserey is relieved from any loss in the case.

I remain
Very Respectfully
Your obd't Serv't
W. W. H. Davis
Secty. Terry. New Mexico

Secretary's Office Terry New Mexico
Santa Fé June 22nd 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.
Sir.

I have the honor to acknowledge the reception of your favor of the 11th in reference to printing the laws of the last Session, and in reply would state, that the finding of your office, as to the Amount earned in said printing will govern me in the payment of the balance of the bill.

I remain
Very Respectfully
Your Obt. Servt.
W. W. H. Davis
Secty. Terry. New Mexico

Secretary's Office Terry N. Mexico
Santa Fé June 22nd 1855

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury
Washington
D.C.
Sir

I have the honor to acknowledge the reception of your favor of the 11th instant in reference to printing the laws of the last Session, and in reply would state, that the finding of your office, as to the amount earned in said printing will govern me in the payment of the balance of the bill.

the balance indicated in the finding of Mr. Clarkson

I remain
Very Respectfully
Your obt. Servt.
W. W. H. Davis
Secty Terry New Mexico.

Secretary's Office Terry. N. Mexico
Santa Fe' June 20th 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington D.C.

Sir:

Enclosed please find the voucher of Mr. Collins for printing the Council journal of the past session, amounting to $1951.70 upon which I have paid and taken a receipt for one thousand dollars. Fifty per cent additional has been charged upon 18920 ems of figure work, for which Mr. Collins paid his workmen one hundred per cent additional, for composition, but the matter is submitted for your approval. I send the pamphlets, herewith, for your inspection. I also send you another copy in Spanish and English, of the Council journal of 1852 and 53. which had failed to come to hand, as you advised me in your letter of the 21st of April. This last is the only copy of said journal at my command which I had laid by for my own use, and I have to request that you will be pleased to return it, after it shall have been examined, unless you shall require it to be filed in your office. I neglected to mention the receipt of drafts, to the amount of seven thousand dollars, by the last mail, which I have duly acknowledged.

I remain
Very Respectfully
Your obt. Servant
W. W. H. Davis
Secty. Terry. New Mexico.

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Secretary's Office Territory of New Mexico
Santa Fé August 27th 1855.

Hon. Elisha Whittlesey,
First Comptroller Ud. Treasury
Washington D.C.
Sir:

I have the honor to acknowledge the reception of your favor of the twelfth ultimo, in reference to funds being placed to my credit with the Assistant Treasurer in Saint Louis, which arrangement is entirely satisfactory.

I beg leave to call your attention to that part of my letter of the twenty first of February last, recommending an additional allowance per month to Juan Chaviaco Jopia, the young man in the Secretary's Office, for the reasons therein contained, which were endorsed by the governor.

By the April Mail accompanying letter of the date of the twenty first of that month, I forwarded the voucher of Collins and Davis for printing the Council Journal of the June session 1851. Was the same duly received?

I remain very respectfully
Your obt Servt
W. W. H. Davis
Secty Terry New Mexico.

Secretary's Office Terry New Mexico
Santa Fé August 27th 1855.

Hon. Elisha Whittlesey
First Comptroller Ud. Treasury
Washington D.C.
Sir:

I have the honor to acknowledge the reception of your favor of the 10th of July in reference to the price to be paid for binding the Revised Code. The amount your secretion will be allowed and no more which I have no doubt will be considered reasonable and just.

I remain very respectfully.
Your Obt Servt
W. W. H. Davis
Secty Terry New Mexico.

Secretary's Office Territory New Mexico
Santa Fé August 29th 1855.

Hon. Thomas L. Smith
First Auditor U. S. Treasury.
Washington D. C.

Sir

I herewith transmit a statement of my expenditures as Secretary, from the first day of March last to the thirty first day of August instant. As regards the item of wood for this office, I would mention, that ten dollars of that amount was expended last winter for wood, but was omitted in the last rendition of my account.

I remain very respectfully
Your obt Servt
W. W. H. Davis
Secty Territy New Mexico.

Secretary's Office Territory New Mexico
Santa Fé August 8th 1855.

Hon. S. H. Stanton.
Asst. Treasurer U. S. Tals.
Saint Louis Mo.

Sir

I have this day drawn upon you the following drafts viz- No. 1, payable to Henry Connelly or order, for seven hundred and fifty dollars, (750) and No 2, payable to Messrs. Webb and Kingsbury, for three thousand dollars (3000).

I remain very respectfully
Your obt Servt
W. W. H. Davis
Secty Territy New Mexico.

Secretary's office Territory New Mexico.
Santa Fé, August 29th 1855.

Hon Elisha Whittlesey.
First Comptroller U.S. Treasury,
Washington,
D.C.

Sir;

I herewith forward to the Honorable Thomas L. Smith. First Auditor of the Treasury department, an account of my disbursements for the last six months, ending the thirty first of August ins[t]. The account current shows a balance in my hands due the United

State of $9249.94 including the $962.80, ots/stage in the accounts of Mr. Messeny, and the $5000 lately placed my credit with the Asst Treasurer in Saint Louis.

For the expenses of the coming session of the Assembly & Leg Council to make the following estimate.

Pay of 39 members, 60 days. 2340 days	@ $3	7020.00
" " 16 Officers " " 960 "	"	2880.00
" . Mileage of members	———	800.00
Contingent expenses of Assembly	———	1200.00
Expenses of the Secretary's office	———	700.00
Translating Message & accom't dict. laws & Journals	—	500.00
Printing the laws		1200.00
" " Revised Code (500 copies)	———	4000.00
" . House Journal June session 1851	———	1900.00
		20200.00
Deduct amount on hand	———	9249.94
Amount required	——— .. ———	10950.06

Say the amount required, in round numbers, be ten thousand dollars, which I would like ~~[illegible]~~ place to my credit with the Assistant Treasurer in Saint Louis. The Legislative Assembly meets the first Monday of December; and I would like to be informed that this amount is placed to my credit by November Mail, for which purpose a letter should leave Washington by the middle of October. A merchant, of this city, has promised to take drafts to the amount of five or six thousand dollars, provided he can remit them to the State, on the December mail, hence it will accommodate me greatly, if I can draw upon Saint Louis at that time. Of the five thousand deposited there, I have already drawn for $3750, leaving a balance in my favor of $1250.

I remain,
Very Respectfully.
Your Obdt. Servant,
W. W. H. Davis,
Secty. Terry. New Mex.

Secretary's Office Santa Fe, New Mexico
Santa Fe August 25th 1855.

Hon'ble Elisha Whittlesey
First Comptroller U. S. Treasury.
Washington
D. C.
Sir

Please find enclosed, vouchers for the amount paid Judge Beaubien and Hon. Ellison for their services in codifying the Laws of New Mexico. I have received no instructions to pay for

this work I would not assume the responsability of paying them the money; but have drawn drafts, in their favor, for the amount, on the Treasury Department, so that if the accounts are not correct, you can stop their payment when presented. I have pursued this course rather advising with the Governor. As I am presumed not to know, officially, anything about this service, I have been governed entirely by their certificates and the governor's approval, as my certificate, upon the vouchers, exhibits. If the payment is approved, please inform me of that fact, and I will include the amounts in my next accounts. I have retained duplicate vouchers.

I remain Very Respectfully
Your obt. Servant.
W. W. H. Davis
Secty. Terrty. New Mexico.

Secretary's Office Terry. New Mexico
Santa Fe. September 20th. 1855.

Honorable Elisha Whittlesey.
First Comptroller U.S. Treasury.
Washington
D.C
Sir;

I have the honor to transmit herewith enclosed, the voucher of James L. Collins for printing the Journal of the House of Representatives of the session of 1854 and 1855. upon which I have paid, and taken a receipt for, twelve hundred dollars. Allow me to request that the work be examined so that I can receive the report upon the same, by the December mail.

I remain.
Very Respectfully.
Your obt. Servant.
W. W. H. Davis.
Secty. Terry. New Mexico

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Secretary's Office Territory New Mexico
Santa Fé September 24th 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir,

I have the honor to acknowledge the reception of your favor of July 24th in reference to the difference of one half cent per copy as charged and allowed for binding, and the stoppages on account of five copies short of English Journal, and the Contents duly noted. The balances allowed to be due Messrs Collins and Davis on behalf of these two items will be paid as directed and vouchers duly taken from the same.

I remain &c.
W. W. H. Davis
Secty. Territy. of New Mexico.

Secretary's Office Territory New Mexico
Santa Fé September 24th 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir,

I have the honor to acknowledge the reception of your favor of August 17th touching the receipt for $962.80 given to Hon. Messrs late Secretary, and which had been received at the Treasury Department. By the July mail I forwarded you a receipt for the same Amount, together with the adoption, by Messrs Collins & Davis, of the finding of your office; and notice that I had given the United States credit for this Amount. This letter appears to have miscarried, as well as all others written in June, but I will transmit Copies of the same in Company herewith.

I remain &c.
W. W. H. Davis
Secty. Territy. New Mexico.

Secretary's Office Territory N. Mexico
Santa Fé September 24th 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir,

I have the honor to acknowledge the reception of your favors of July 24th and August 17th relative to the Vouchers of Collins & Davis for procuring the Council Journals of the Third and Fifth Sessions 1851, and the Sessions of 1852 and 1853 and the balances as found due, by the Computation

of your Office, will be duly paid them. Enclosed was also a Communication for Wm. Clayton, in reference to the manner in which the Journals should be printed, in future; but as yet I have not received the instructions you speak of sending to the different Secretaries of Territories. In reference to this matter I would respectfully remark, that the style of printing the Journals is such as had been sanctioned by all my predecessors in Office, and approved by the Treasury Department, and therefore was considered right and proper. Before the reception of Your letter of July 24th the House Journal of the past session had been finished, and the Spanish Copy of the House Journal of the June and July session 1851. but, taking for granted that the Circular would be in conformity to the suggestions of Mr. Clayton, I immediately gave notice to the printers that the style of the work must be adapted, in future, to the mode pointed out in his letter. I shall be pleased to receive your Circular, and will cheerfully comply with any instructions contained therein.

In reference to the deduction made in the item of binding I have but a word to remark. I supposed the price fixed was for all Journals whether larger or smaller, and that no discretion was allowed me in the premises. Messrs Collins & Davis paid the same price for binding the small as the large size: and the fifteen cents allowed for the former will not cover the expence paid the binder here, for owning the work. Hereafter I will allow the printers according to the size of the volume.

I remain, Very Respectfully
Your ob.t Servant.
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office Territory New Mexico.
Santa Fé September 26th 1851.

Hon. J. H. Sturgeon,
Asst. Treasurer U. S.
Saint Louis,
Mo.

Sir;

I have this day drawn upon you a draft, in favor of Messrs. Glasgow & Brother, Saint Louis, for three hundred ($300) dollars which you will please pay upon presentation.

I remain
Very respectfully
Your ob.t Servt.
W. W. H. Davis
Secty. Terry. New Mexico.

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Executive Office Territory of New-Mexico
Santa Fé September 28th 1855.

Hon. J. H. Sturgeon.
Ass't Treasurer U. S.
Saint Louis Mo.

Sir,

I have this day drawn a draft upon you in favor of Jackson Kemper, of Delafield Wisconsin, for the sum of thirty dollars (30), the same being number four (4), of the series.

I remain &c.
W. W. H. Davis
Secty. Territ. New Mexico.

Secty's. office Terry New Mexico
Santa Fé October 18th 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir

Enclosed please find the bill of Rufus Collins and Davis for furnishing the House Journal of the June session 1855, of which I have paid the sum of $1500. You will observe that the amount paid exceeds your instructions in this particular, and of which I make the following explanation.

In June last I charged myself with the $962.80 shortage in the accounts of Jas Baldwin, late Secretary, but at that time it was not convenient for Messrs Collins and Davis to pay me the money. Of the $1500 paid and receipted in the within voucher $962.80 is left in my hands, to the credit of the United States, and the balance $537.20 is placed to the credit of Collins and Davis

Thus I avoid all risk of loss on my part, with the detriment to the United States, as at best the pay much of this balance, over one half, is only a question of time.

I hope this explanation, for my departure from a salutary regulation, will be satisfactory, under the circumstances. The vouchers are sent herewith

I remain
Very Respectfully
Your Obt Servt
W. W. H. Davis
Secty Terry New Mexico

Secretary's Office Terr'y N.M.
Santa Fé Oct 25th 1855 -

Hon Wm L Marcy
Secretary of State
Washington
D.C.

Sir,

In obedience to the provisions of the 4th section of the Organic Law, I enclose herewith a copy of the Executive proceedings of the Governor of the Territory of New Mexico, from the 29th day of November 1854 to the 4th day of October 1855, and request that you will lay the same before His Excellency the President of the United States

I have the honor to remain
Very Respectfully
Your Obt Ser't
W W H Davis
Secty Terry New Mexico

Secretary's Office, Terry. New Mexico.
Santa Fé October 24th. 1855.

Honorable Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir,

I have the honor to acknowledge the reception of two letters from Mr. Ramsey the Acting Comptroller bearing date the nineteenth of September ultimo, the contents of which are duly noted. In the returned voucher for printing the Council Journal of 1854 and 55. I observe that but fifteen cents are allowed for binding &c. which I presume is an error. You allow fifteen cents per volume for the June Session of 1851, which contained only half as many pages as the present Council Journal, and remarked that the price should be for accordance with the size of the volume, thirty seven cents being the maximum allowance. According to this rule thirty cents would be a fair price for the Council Journals, and at fifteen cents the printer loses money on each volume. Allow me to Call your attention to the subject.

I remain
Very Respectfully
Your Ob't Serv't
W. W. H. Davis
Secty. Territy. New Mexico.

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Office of Indian Affairs
Santa Fé October 30th 1855

Sir,

In your favor of 19th September you state that the Comptroller has in contemplation to cause to be bound all the journals and laws, and therefore the necessity for retaining the journals requested to be returned.

In reply I beg leave to state that I have sent you at different times duplicate copies of the Council Journal of 1852-53, and - if both have come to hand - request that the last sent, be returned as it was my private copy

I have the honor to remain
Very respectfully
Your obt Servt
W W H Davis
Secty Terry New Mexico

Hon Elisha Whittlesey
First Comptroller
Washington
D.C.

Secretarys Office Ve.
Santa Fé November 28th 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir

I am in the receipt of your favor of the eighth ultimo, in reference to the fragments of the drafts drawn in favor of James J. Deavenport and Samuel Elkins, the Contents of which are duly noted.

I remain Very respectfully Your obt Servt
W. W. H. Davis
Secty. Terry. New Mexico.

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Secretary's Office Territory, New Mexico
Santa Fé November 28th 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington D.C.

Sir;

I have the honor to acknowledge the receipt of your favor of the ninth ultimo in reference to an advance of $10.215.03, placed to my credit with the Asst Treasurer in Saint Louis, and the contents duly noted.

I remain
very respectfully
Your obt Servt
W. W. H. Davis
Secty Territy New Mexico.

Secretary's Office Territy. New Mexico
Santa Fé November 28th 1855

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir;

I have the honor to acknowledge the reception of your favor of the twentieth ultimo in relation to an encrease of the pay of Juan Clemaco Tapia. The Interpreting and translating referred to, of course only embrace, the current duties of this kind in the office, and not the translating the laws and journals for the press, which requires a very experienced translator. He will discharge all the current duties of this kind as well as those of Porter.

I remain
very respectfully
Your obt Servt
W. W. H. Davis
Secty Territy. New Mexico.

Secretary's Office Territy. New Mexico
Santa Fé November 28th 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C. Sir;

I have the honor to acknowledge the reception of your favor of the fifteenth ultimo, with enclosures in relation to the public printing in the Territories. The instructions therein contained will be strictly observed in future.

I remain very respectfully Your obt Servt
W. W. H. Davis
Secty. Territy. New Mexico.

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Sec'ty's Office Terry Juan Mexico
Santa Fé Nov 29 ot 1855

J. H. Stevenson Esquire
Asst Treasurer St Louis.

Sir

I have this day drawn duplicate-draft No 3. of September 26-1855. in favor of Gleason & Brother, Saint Louis Mo. for $300. the same being No 5 in the series. The mail that carried in the first draft was robbed below Independence, and the draft supposed to have been lost. If known, it has already been presented and paid the duplicate, of this date, will not be paid.

Enclosed is copy of first letter of advisement

I remain
Very Respectfully
Your Ob't Serv't
W. W. H. Davis
Sec'y Terry New Mexico

Sec'ty's Office Terry New Mexico
Santa Fé Nov 29 th 1855

J. H. Stevenson Esq.
Asst Treas
St Louis Mo.

Sir;

I have this day drawn draft No 6 in favor of Nott & Mayo clerks for $705 40/100 seven hundred and five 40/100 dollars, which please pay and charge to account of

Very Respectfully
Your Ob't Serv't
W. W. H. Davis
Sec'y Terry New Mexico

Sec'ty's Office Terry New Mexico
Santa Fé December 3d 1855.

J. H. Stevenson Esq
Asst Treas St Louis Mo.

Sir!

Please this day draw on your draft No 7 for Thirteen dollars $13 00/100 in favor of Alexander Bigelow which you will please pay and charge to account of

Very Respectfully
Your Ob't Serv't
W. W. H. Davis
Sec'y Terry New Mexico

Secretary's Office, Territory of New Mexico
Santa Fé November 30th 1855.

Hon. Elisha Whittlesey.
First Comptroller U.S. Treasury
Washington D.C.

Sir;

Since I wrote you on the twenty eighth inst, in reply to yours of the fifteenth ultimo, with enclosures in regard to public printing, I have carefully re-read the instructions, and desire an explanation in reference to them. Under the third article I am at a loss to determine whether the "Governors Message and accompanying documents" could be inserted in either journal. The message is printed for distribution in both languages, in pamphlet form; and in accordance with article five, that only one composition is to be paid for by the United States, it would seem to be excluded from the journals. The custom I believe is both of Congress and the state Legislatures neither to print the message nor documents in the journals. Under the circumstances I desire further instructions in the premises.

I remain
Very Respectfully
Your obdt Servt
W. W. H. Davis
Secty. Territy. New Mexico.

Secretary's Office Territory of New Mexico
Santa Fé November 30th 1855

Hon. Benjamin Tracy
Chief Clerk of the Treas.
Washington D.C.

Sir;

I draw this day drawn on you draft No 8 for $3360 (Three Thousand three hundred and sixty dollars in favor of Henry Connelly, which please pay and charge to account of

Very Respectfully
Your obdt Servt
W. W. H. Davis
Secty Ter. N. Mex.

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Secty's office Terry. New Mexico.
Santa Fé. November 30th. 1855

Hon Elisha Whittlesey
First Comptroller U. S. Treasury
Washington
D.C.

Sir;

Enclosed please find copy of a contract made with James L. Collins to do the printing that may be ordered by the coming session of the Legislature, and which is subject to your approval.

Remain.
Very Respectfully
Your Obt Servant.
W. W. H. Davis.
Secty. Terry. New Mexico

Secretary's Office, Territory New Mexico
Santa Fé December 24th 1855.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington, D.C.

Sir,

I am disappointed in not receiving any communications from the Treasury department in the December mail. I am anxious to hear whether the $500 paid Sam. Ellison for translating the laws and journals of last session, for the hands of the printer, have been allowed in my accounts. In the absence of knowing whether this item has been allowed I feel somewhat embarrassed as to the course to pursue in reference to the printing of the laws and journals of the present session. The act of Congress, in reference to the printing of the laws, makes it the duty of the Secretary to put them into the hands of the printer within ten days after they shall have been approved. Some are approved in Spanish and others in English, and both require a Careful translation before being delivered, — and which translation I am not able to make. Now if I pay a person to do this work, according to the present decision of the department, I must do so from my private purse, whereas, on the other hand, if I refuse to deliver the laws to the printer, and they are not printed, I violate an Act of Congress, and make myself liable to removal. You will at once see that I am placed in a dilemma, Under the circumstances I have made up my mind to pay a reasonable sum to have the laws, alone, translated, and if the department will not allow the account, I will have to rely upon Congress to authorize the accounting officers to settle the same. And until the matter is finally adjusted I will not have the journals translated or printed. I have to request that you give this matter your early attention, and would be pleased to receive your decision by the March mail, as I expect to leave for the state in April.

Yours &c.
W. W. H. Davis
Sec. Terry. New Mexico

Secretary's Office, Territory New Mexico
Santa Fé December 27th 1855.

Jno. H. Sturgeon
Asst. Treasurer
Saint Louis Mo.

Sir.

I have this day drawn upon you two drafts, as follows, No. 9. in favor of Geo. H. Estes or order, for twenty five dollars ($25), And No. 10. in favor of Thomas S. Akerman or order for four hundred dollars ($400) which you will please pay upon presentation.

I remain
Very Respectfully
Your obt. Servt.
W. W. H. Davis
Secty. Territy. New Mexico.

Secty's office, Territy. New Mexico
Santa Fé Dec. 29th 1855.

Hon. S. H. Sturgeon Esquire
Asst Treasurer U. S.
Saint Louis.
Mo.

Sir;

I have this day drawn a draft upon you, in favor of Joseph Hersh, or order, No. 11, for four hundred and fifty Dollars ($450) which you will please pay upon presentation.

I remain
Very Respectfully
Your obt. Servt.
W. W. H. Davis
Secty. Territy. New Mexico.

Secty's office. Terry. New Mexico.
Santa Fé. December 31st 1855.

Jno. H. Sturgeon Esquire
Asst. Treasurer U.S.
Washington
D.C.

Sir; I have this day drawn on you drafts No's 12 and 13; the former in favor of Isabella A. Magruder, or order, for one hundred and fifty dollars ($150); and the latter in favor of Lucy B. Magruder, or order, for one hundred dollars ($100) which you will please pay upon presentation

I remain,
Very Respectfully,
Your Obt. Servant.
W. W. H. Davis.
Secty. Terry. New Mexico

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Secretary's Office, Terry. New Mexico
Santa Fé. December 31st 1855.

Hon. James Guthrie,
Secty. Treasury U.S.
Washington,
D.C.
Sir,

I have this day drawn a draft on the appropriation for Executive Contingent expenses of the Terry of New Mexico in favor of Jno. S. Watts or order for one hundred and ninety dollars, and twenty cents — payable five days after sight, which you will please protect.

Remain
Very Respectfully
Your obdt. Svnt.
W. W. H. Davis
Acting Governor Terry. New Mexico

Secretary's Office Territory New Mex.
Santa Fé December 31st 1855.

Jno. H. Sturgeon
Asst. Treasurer U.S.
Washington D.C.
Sir;

I have this day drawn upon you drafts Nos. 14. and 15. the former in favor of Henry Connelly or order for one thousand dollars ($1000), and the latter in favor of Kearney & Bernard or order for one hundred twenty seven 37/100 dollars ($127.37) which you will please pay upon presentation.

Remain. &c.
W. W. H. Davis
Secty. Territ. New Mexico.

Secretary's Office. Terry. New Mex.
Santa Fé January 2nd 1856.

Hon. Elisha Whittlesey
First Comptroller U. S. Treasury
Washington D.C.
Sir; Enclosed, please find the bill of Collins & Davis for Miscellaneous printing done for the present session of the Legislative Assembly with samples of the work.

Remain very respectfully
Your obdt. Svnt.
W. W. H. Davis
Secty. Terry. New Mexico

Secretary's Office, Terry. New Mexico.
Santa Fe January 26th 1856.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D. C.

Sir

I have the honor to acknowledge the receipt of your favor of the fifth of December, the contents of which are duly noted. The matter of the Council journal of 1852 and 53, is entirely satisfactory to me.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico

Secretary's Office, Terry. New Mexico
Santa Fe January 26th 1856.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D. C.

Sir

I have the honor to acknowledge the reception of your favor of November 22nd enclosing vouchers of Mr. Collins for printing the House journal of the last session, and the balance due according to the computation of your office will be paid as directed. In reference to the firm of Collins and Davis I have to state, that the Contract they made with Secretary Messervy in December 1853 embraced all the printing the Legislature of that session, 53 and 54, might order; and that ordered by the last session 1854 & 55. I contracted for with Mr. Collins individually. This I hope will satisfactorily explain why the vouchers have been made out in different names. I would further state, that the firm of Collins and Davis will dissolve in one weeks time when the revised Code will come out of press, being the last of the work for which they contracted with Mr. Messervy.

I remain
Very respectfully
Your obt. Svt.
W. W. H. Davis
Sec'y. Terry. New Mexico.

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Secretary's Office, Territory New Mexico
Santa Fé January 26th 1856

Hon. Elisha Whittlesey
First Comptroller U. S. Treasury
Washington D. C.

Sir

I wrote you by the last mail in reference to the stoppage of $500 in my accounts of last year, being the item of payment to Mr. Ellison for translation of the laws and journals of last session, for the press: and I hope you will not deem importunate if I should again call your attention to the same matter.

Six months have now elapsed since I forwarded my letter explanatory of said charge accompanied by an affidavit of Mr. Ellison showing that the work was not done for the Legislature, but for the Secretary's Office, and in accordance with instructions from the Treasury department that had never been countermanded. I had hoped the matter would have been adjusted before the adjournment of the present session, that I would be able to act knowingly in similar premises and not be compelled to make further payment, out of my own pocket for the public service: which is now the case according to the decision the Department has made in this matter. Allow me again to call your attention to the matter, that you may fully understand the position I am placed in. When the Legislature adjourns all the Laws passed during the session are sent into my office to be prepared for the press: some in English, and some in Spanish, some enrolled and others in the original rough MS. draft as they passed the two houses. An Act of Congress approved sometime in 1842, obliges the Secretary to place the laws in the hands of the printer within ten days after he shall have received them. Now, before they can be printed at all, they must be translated into both languages, which requires a considerable time, and the greatest care accuracy. The labor is much increased by the inaccuracy of the language in they are drawn and you will be surprised when I inform you, that much is the bad phraseology of some of the Acts, that they cannot be approved for this reason. Now without having the laws translated it is utterly impossible for me to comply with the Act of Congress and have them published, and as I cannot translate myself, I am compelled to call on a third person who can do the work. Under the circumstances there is but one of two courses left me to pursue, either to disregard the act of Congress and not have the laws published or else to have them published with the prospect of having the Amounts paid for their translation stopped against me.

The same may be said of the journals of the two houses, which must be carefully translated before they can be printed. All my predecessors in office have been allowed to pay the sum of $500 each year for this work, which is the least for which any one can afford to do it. There are but two Competent translators in the Territory, one of whom, Mr. Whiting, is employed in the Surveyor Generals Office at annual salary of $3000. the other is Mr. Ellison who does more work in the translation of the laws and journals, than the former does the whole year, and for which he has never received more than five hundred dollars per annum. As I wrote you in my last, I have concluded to pay what I think a fair Compensation for translating the laws of the present session, for the press, even with almost a certainty of the Amount being stopped against me. But if I did not ——

already paid part of the amount, as the translations are being made, I would not have the laws of this session published until I shall have heard definitely upon the subject from the department. As the amount paid for the translation of the laws last year was suspended against me and has not yet been allowed. I will not distribute the laws of the present session until I hear from you upon the subject.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office Terry. New Mexico
Santa Fé, January 28th 1856

Jno. H. Sturgeon Esqr.
Asst. Treasurer US.
Saint Louis Mo.

Sir,

I have this day drawn upon you the following drafts, viz. No. 16, in favor of Levi Spiegelberg, for five hundred dollars ($500), and No. 17 in favor of Messrs. Webb & Knigsbury for four thousand two hundred dollars ($4200), which you will please pay upon presentation.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office, Territory of N. Mex.
Santa Fé January 31st 1856.

John H. Sturgeon Esq.
Asst. Treasurer U.S.
Saint Louis Mo.

Sir

I have this day drawn upon you draft No. 18. in favor of Mary E. Spencer, for ten Dollars ($10.) which you will please pay upon presentation.

I remain
Very respectfully &c.
W. W. H. Davis,
Secty. Terry. New Mexico

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Secretary's Office, Treasury Dept.
March 22nd 1858.

Hon. Thomas J. Smith.
First Auditor U.S. Treasury.
Washington D.C.

Sir

I herewith transmit my account of disbursements made from the first day of October 1855 to the twenty ninth day February inclusive of existing Treasury and returns due the United States of 1589.57. You will observe that I have not charged myself with the $585 stopped agreeably to an account of payments made to Hon. Elbert and Hon. Thomas Swift, for translating the laws and journals, and distributing the same, for the reason that the questions of their allowance is still pending before the department, and I duly informed A. G. Whittlesey that I never yet charged myself with the amount until the matter should be finally disposed of.

You will find in Abstract C. a voucher covering $250. to which I wish to charge Elbert for translating the laws of the Indiana just closed, in pursuance of the last of the Legislature. I have copied the authority upon which such allowance had always been made until I came into office, and which had been duly audited by the accounting officers of the department. I was never directed not to include disbursements, and supposed, as a matter of course, that I could be safe in paying what the Honorable First Comptroller had authorized and pronounced in full force, and which the Hon. First Auditor had audited and allowed. This is now the sole good authority for the course I pursued. The act of Congress gives that authority, only to the Secretary of the Treasury, Secretary of War, Secretary of the Interior to fix the laws into the hands of the printer within two days after they shall have been passed. When they have to be printed in the English and German languages, as a translator becomes absolutely necessary, it would take from one language into the other, as they are not passed and approved at the same time. Then it will be three months before the laws will be ready for delivery, and to the contrary I have the act of Congress before me, printed by private hands for the public service. This is merely a short explanation of the duties of our office; and if the Treasury department does not feel authorized to decide on Vouchers in the settlement of this account I must look to Congress for relief. I have written to Mr. Whittlesey fully upon this subject, and he will write you in relation to my letter.

Respectfully
Your obedient Servant
[illegible]
[illegible]

Secty's office. Terry. New Mexico.
Santa Fe, Febry. 20th. 1856.

James L. Collins Esqrie,
Sir:

You will be pleased to furnish me with four hundred copies of the laws of the session of the Legislature just closed, for the use of the Secretary's office.

In looking over the Joint Resolutions I find there is one which the Editor of the Santa Fe Gazette is requested to have published. If you are willing to publish it on your paper without charge, I will furnish you a copy for that purpose; but I do not feel at liberty to pay anything for it insertion.

Remain.
Very Respectfully.
Your Obdt. Servant.
W. W. H. Davis.
Secty. Terry. New Mexico

Secretary's office. New Mexico.
Santa Fe. Feb. 28th. 1856.

James L. Collins
Santa Fe N.M.
Sir

I write this to-day to request that you will have printed for me, with all convenient speed, one hundred copies of the Joint Resolution passed by the Legislature at the session just closed, and forward the same to me at this place.

Very respectfully
Your obdt. Servt.
W. W. H. Davis
Secy. Terry. New Mexico

Mark 4th The Governor this day communicated Messrs Lorenzo Labadie & Rafael Chacon Esqrs Members elect from the County of Mora &c.

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Secretary's Office Territy. New Mexico
Santa Fé March 25th 1856.

Hon. Elisha Whittlesey.
First Comptroller U.S. Treasury.
Washington D. C.
Sir;

I have the honor to acknowledge the reception of your favor of the fifteenth of January, allowing to James L. Collins five cents additional, for binding and stitching 500 English and Spanish Council journals of the session of 1854 and 1855.

I remain &.
W. W. H. Davis
Secty. Territy. New Mexico

Secretary's office, Territy. New Mexico
Santa Fé March 25th. 1856.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington D. C.
Sir;

I have the honor to acknowledge the receptim of your favor of the ninth of February informing me that the Honorable Secretary of the Treasury had caused an advance to be made to me, of four thousand dollars.

I remain &c.
W. W. H. Davis
Secty. Territy. New Mexico.

Secretary's Office, Territy. New Mexico
Santa Fé March 25th 1856.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington D. C.
Sir.

I have the honor to acknowledge the receptim of your favor of the fifteenth of January, in reply to mine of the thirtieth of November last, touching the matter of the printing of the Governor's Message &c. in the journals, the contents of which are duly noted.

I remain &c.
W. W. H. Davis
Secty. Territy. New Mexico.

Secretary's Office Terry. New Mexico
Santa Fé March 25th 1856.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D. C.

Sir.

I have the honor to acknowledge the reception of your favor of the 26th of December last returning the voucher of Collins & Davis, and the balance on the same ($77.39) will be duly paid.

Remain
very Respectfully
Your obdt Servt.
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office, Terry. of New Mexico
Santa Fé March 27th. 1856.

John H. Sturgeon Esquire
Assistant Treasurer.
Saint Louis, Mo.

Sir;

I have this day drawn upon you two checks, viz: No. 19. for thirty dollars, in favor of Geo. H. Estes or order, and No. 20. for four thousand dollars in favor of Messrs. Webb & Kingsbury, or order which you will please pay upon presentation.

Remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

[illegible]

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Secretary's Office, Terry. New Mexico
Santa Fé, March 31st 1856.

Hon Elisha Whittlesey,
First Comptroller U.S. Treasury.
Washington D.C.
Sir;

Enclosed please find the voucher of Collins and Davis for printing the Revised of Code of the Territory, upon which I have paid $2500, and taken a receipt for the same. It was impossible to get the binding materials before next summer, And therefor I had a paper cover put on the volume I herewith send you. The whole number will be stitched in the manner of the one I send you, and all will be delivered into my office in a few days, where I am having been carefully boxed up until the backs come out, and the binding can be completed. Messrs. Collins and Davis purchased all the necessary bindding material in Saint Louis last August at a cost of $216 but as no full trains come acrop the plains, they were necessarily detained until the trains of the coming summer which arrive here in June and July. Under the circumstance I thought it best to have them stitched ready for binding, and delivered, and make out the voucher as far as completed, as the bindding proper is a separate branch of the work. Messrs. Collins and Davis have dissolved their business relations and are anxious to settle and were I to withold the voucher until the work should be bound, it would cause a delay of some six months to them, and after the work of the printers had been completed. They offered the stage proprietors fifty per pound (on 475 lbs) to bring the binding material out this past winter, but it could not be got here. Hence the cause of the work not being regularly bound. The price charged for stitching and folding is just what Collins and Davis paid for the work, 25 cents a volume for stitching, and 20 per hundred sheets for folding about six cents per volume.

Mr. Davis will be in Washington early in June, and Mr. Collins expects to be there about the same time, and for this reason let me ask that you retain the voucher instead of returning it with your finding as usual; as it will be more convenient for me to pay the balance you may find due to Messrs. C. & D. in Washington, I do not expect to return to this place before the last of next October.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office, Territory of New Mexico
Santa Fe, April 2nd. 1856.

Hon. Elisha Whittlesey
First Comptroller U. S. Treasury
Washington D. C.
Sir?

After carefully re-reading your letter upon the subject, and the instructions of the department of the tenth of October last, I am still in doubt whether the "accompanying documents" have such "necessary connection with the duties of legislation," as will entitle them to be printed at the expense of the United States. These documents are the annual reports of the Auditor and Treasurer of the Territory which are made to the Governor, and which he is in the habit of sending into the Council; but that body never takes any action upon them, and they are thrown aside until the end of the session, when they are hunted up and filed away with other records in the Secretary's office. Heretofore they have been printed in the Council journal, and paid for by the United States. The object of the Circular of the tenth of October appears to be that of introducing greater economy in the item of printing, charged to the government, and excluding every thing that is not legitimately a record of the legislative proceedings. If these documents are of this nature they should be printed, but if not, then they ought to be excluded, as I do not desire to withold any thing from the printer that properly belongs to the public work, nor cause work to be done that is not sanctioned by the instructions, I thought it best to submit the question to the department, for a decision.

Allow me again to call your attention to the fact that the Territory refuses to pay for the distribution of the laws and journals; and as this item was unprovided in my accounts heretofore and not yet allowed, I will not be able to distribute the laws of the last session when they shall be out of press, which will be in a few days. This will be a source of great inconvenience to the people, but there is no other course for me to take than to withold them from distribution, as I do not feel at liberty to pay for this service a second time out of my private purse. I respectfully await your decision in the premises.

I remain &c.

W. W. H. Davis
Secty. Terry New Mexico.

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Extract from special Minutes of Council
March 4th 1864.

James H. Cutler Esq.
Mayor of Milwaukee.

Sir

I have received, directed, Milwaukee Co. Wis. to the Treasurer of Milwaukee County, the Treasurer of the Milwaukee & Mississippi Railroad Company for the Years 1862 and 1863. I have also received a Certificate of the Auditor of the United States, showing the Amount of Taxes paid by the Company for the Years 1862 and 1863. I have also received a Certificate of the Auditor of the United States, showing the Amount of Taxes paid by the Company for the Years 1862 and 1863. I have also received a Certificate of the Auditor of the United States, showing the Amount of Taxes paid by the Company for the Years 1862 and 1863.

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(Seal)

Respectfully &c.
H. H. Hunt
Secretary

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Secretary's Office, Terry. New Mexico
Santa Fé April 22, nd. 1856.

Hon. Elisha Whittlesey
First Comptroller Tr. Treasury
Washington D.C.
Sir;

I have the honor to acknowledge the reception of your favor of the 21st of February with the enclosed copy of a letter addressed to James L. Collins Esq.

I remain &c.
(signed)
W. W. H. Davis.
Secty. Terry. New Mex.

Secretary's office Terry. New Mexico
Santa Fé April 30th 1856.

Hon. Elisha Whittlesey
First Comptroller Tr. Treasury
Washington D.C.
Sir

Enclosed please find the voucher of James L. Collins for transmitting the laws passed at the last session of the Legislative Assembly, upon which I have paid seven hundred dollars, as per his receipt, a copy of the work is transmitted herewith.

I remain &c,
(signed)
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office, Terry. New Mexico,
Santa Fé April 30th 1856.

To His Excellency Franklin Pierce
President of the United States,
Washington D. C.
Sir:

In obedience to the fourth section of the Organic Law, I have the honor to transmit to you, herewith, a copy of the laws passed by the Legislative Assembly at their last session. the receipt of which you will please cause to be acknowledged.

I have the honor to remain
Very respectfully
Your obdt. Servt.
(signed)
W. W. H. Davis
Secty. Terry. New Mexico

Secretary's Office, Territory of New Mexico.
Santa Fé April 30th 1856.

Hon. Thomas L. Smith
First Auditor U. S. Treasury
Washington D.C.

Sir;

I have the honor to transmit herewith, an account of my expenditures as Secretary of the Terry. of New Mexico, from the first day of March to the thirtieth day of April 1856, both days inclusive. My reason for rendering my accounts at this time is, that I will leave this place the first day of May, for the United States, to be absent some months, and I thought it advisable to close my accounts up to the time of my departure.

I remain &c.
(signed)
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office, Terry. New Mexico
Santa Fé April 30th. 1856.

Isaac H. Sturgeon Esq.
Assistant Treasurer,
Saint Louis Mo.

Sir:

I have this day drawn on you draft No. 21 in favor of W. W. H. Davis or order for sixty four dollars and twenty five Cents ($64.25) which you will please pay upon presentation.

I remain &c.
(signed)
W. W. H. Davis
Secty. Terry. New Mexico.

Despacho de la Secretaria &c.
Santa Fé Mayo 27. de 1856.

A Don Francisco Lopez
Juez de Pruebas del Condado de San Miguel.

Señor:

Estoy instruido por S.E. el Gobernador, para decir á V. que las razones de no haberse mandado las Comisiones para los Jueces de Paz que V. cita en su Comunicacion con fecha 19 del Corriente, es, que en esta oficina no se han recibido los Libros de Matriculas de las Elecciones en que fueron electos los referidos Jueces de Paz, y del Consiguiente no se mandaran las Comisiones, hasta que V. remita á esta Oficina los Libros de Matricula Correspondientes.

Soy con respetuosa consideracion
de V.S. Señor
Atento S.S.
Manl. Eliseo
Secretario

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Despacho del Sr Secretario &c.
Santa Fé Mayo 27. de 1856.

A Don Ignacio Ortuntia
Escribe de la Corte de Pruebas
del Condado de Doña Ana.

Señor:

En vista de su Carta de 7. con fecha 19. del Corriente; Soy instruido por S.E. el Gobernador para decir á V. que S.E. cree, que V. ha tomado medidas conformes á la Ley, y entre tanto que la Eleccion se verifique. V. debe funcionar en el empleo de Juez de Pruebas, hasta que el sucesor sea debidamente nombrado y calificado.

Soy respetuosamente
Su obediente Servidor.
(Firmado) Saml Ellison
Secret. Privado.

Executive Office Territy. New Mexico
Santa Fé June 30th. 1856.

Hon. Thomas L Smith
First Auditor U. S. Treasury
Washington City
D.C.

Sir.

I have the honor to transmit herewith, enclosed my accounts for the disbursements of the Executive Contingent fund for the quarter ending June 30th. 1856. which I hope will be found satisfactory to the Department.

I remain
Very Respectfully
Your Obt. Servt.
(Signed) D. Meriwether
Govr. of New Mexico

Secretarys Office Territy. of New Mexico
September 22nd 1856.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir,

I have the honor to inform you that I arrived at this place yesterday morning, the 21st instant and have resumed the discharge of my official duties.

I remain, very respectfully &c.
W. W. H. Davis
Secty. Territy. New Mexico

Secretary's Office Secretary of New Mexico
Santa Fé September 22nd 1856.

Hon. Wm L. Marcy
Secretary of State.
Washington D.C.
Sir.

I have the honor to inform you that I arrived at this place yesterday morning the twenty first instant, and have resumed the discharge of my official duties.

I remain
Very Respectfully
Your obdt Servt
W. W. H. Davis
Secty. Territy. New Mexico.

Secty's. office. Territory of New Mexico.
Santa Fé. September 30th. 1856.

Isaac N. Sturgeon Esquire
Asst. Treasurer United States.
Saint Louis Mo.

Sir; I have this day drawn upon you the following draft; namely, No 22. in favor of Spiegelberg, Brothers & co for seven thousand dollars, and Nos 23.24 & 25. for one thousand dollars each in favor of Charles Blummer United States Marshall, which you will please cause same to be paid upon presentation.

I remain
Yours Respectfully.
W. W. H. Davis.
Secty. Terry. New Mexico.

Secty's office. Terry. New Mexico.
Santa Fé. September 30th 1856.

Isaac N. Sturgeon Esquire.
Asst. Treasurer United State.
Saint Louis. Mo.

Sir;

I have this day drawn upon you a draft for two thousand dollars in favor of ~~Hall Pettingill~~ or order which you will please pay upon presentation; the same being number 26.

I remain.
very respectfully,
your Obt. servant.
W. W. H. Davis.
Secty Terry. New Mexico

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Secretary's Office, Terry. New Mexico
Santa Fe October 25th 1856.

Hon. S. Beger,
Register U. S. Treasury,
Washington D.C.
Sir;

I have the honor to acknowledge the reception of your favor of the 27th. of August and the 8th. of September ult in reference to estimates for the fiscal year ending June 30th. 1858 for my office. In reply I would state, that it has not been custo-mary for the Secretary of the Territory to make estimates separate from those annually transmitted by the Governor which contain the amount required for this Office. Congress annually appro-priates twenty thousand dollars ($20. 000.) for Legislative Expenses, which is placed in my hands for disbursement, and which is the only money this office has control of. Hoping the foregoing will prove satisfactory.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office, Territory New Mexico.
Santa Fe October 25th. 1856.

Hon. Elisha Whittlesey
First Comptroller U. S. Treasury
Washington D. C.
Sir;

The enclosed account was forwarded to you for payment a few days ago, but which I refused to pay, for want of authority to do so. I believe the amount covers services rendered by the said Dunn, as an extra Clerk during the session of the first Legisla-tive Assembly held in June and July 1851. An appropriation was made the same session for the amount, and the Secretary of the Territory ordered to pay the same out of the Legislative funds in his hands, which he properly declined to do. It was subsequently audited by the Territorial Auditor who directed the account to be paid from the same funds, which was again refused. I promised the holder of the claim Mr. H. H. Kelly that I would lay the matter before you, for decision, as the best I could do for him. There is no doubt, I believe about the services having been rendered, but Mr. Dunn was employed as an officer of the Legislature contrary to the Organic Law, and hence I think the Territory is liable for the amount.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office &c.
Santa Fé November 24th. 1856.

Hon. William L. Marcy
Secretary of State
Washington
D.C.
Sir:

I have the honor to transmit herewith a copy of the executive Journal of the Territory of New Mexico for the year ending with the 30th. of the present month; and would respectfully request that you cause the same to be laid before His Excellency the President.

I remain &c.
W. W. H. Davis
Secty. Terry. of New Mexico.

Secretary's Office &c.
Santa Fé November 26th 1856.

Hon. Elisha Whittlesey
First Comptroller U. S. Treasury
Washington D.C.
Sir,

I have the honor to acknowledge the reception of your favor of the 16th ultimo, enclosing four copies of a circular on the subject of printing.

I remain &c.
W. W. H. Davis
Secty. Terry. of New Mexico.

Secretary's Office, Territory of New Mexico,
Santa Fé November 27th 1856.

Hon. Elisha Whittlesey
First Comptroller U. S. Treasury.
Washington D.C.
Sir;

I will transmit to the First Auditor by the mail that leaves here the first proximo, my accounts for disbursements from the first day of May last, to the thirtieth of November instant, inclusive, which show a balance due the United States of $ of which amount $182.48 remains under my control in the hands of the Assistant Treasurer in Saint Louis.

I also send you herewith, one copy of the Revised Code of New Mexico, in order that you may see for yourself of the work, which I consider very much

done for this County. The cost of binding, including the price of the material, comes to about sixty eight cents per volume, being thirteen cents more than you authorized me to pay. in your letter of the 10th of July 1855. But this increase of cost could not be avoided; and the amount paid is the actual cost of doing the work, And no party has made a profit upon the issues. In September 1855, Collins & Davis purchased, in Saint Louis, material and apparatus for binding the Code at the cost of $215.40 Cash, in that City, which articles were delivered here in June last. the freight on the same from Saint Louis being $80.00 making the whole cost, delivered $295.40. I purchased from Collins & Davis, at cost price, including freight the amount of material that would actually be consumed in process of binding — which amounted to $189.40, as per voucher in accounts. This left 106 & 2 losers in the transaction $106. but I did feel authorized to purchase the binding apparatus, and pay for the same, with freight, without your sanction; although it was bought expressly to bind the revised Code, and will not be of any use to any one, until it shall be necessary to bind another Code for the Territory, which must be some years to Come. If you should think it best to purchase the apparatus under the circumstances, I could have it carefully put away, and preserved for future use. The price I paid for binding, as you will see by the voucher, is twenty five Cents per volume. Enclosed I send you the bill of the binding material, showing the price paid by Collins & Davis for the same.

I could not get the journals of the last session translated, and the Spanish Copies — Copied carefully for the press for the price you stated in your letter written me, while in the states last summer. As you will see, by the voucher, I paid $75 for translating each journal, And the same for Copying each one in Spanish for the press. This price is no more than reasonable and just, and it Cannot be done for less. Be pleased to inform me, by return mail, whether I will be allowed to pay for translating the laws and journals of the present session, as I shall not incur such expenditure until I am authorized to do so. for the reason that under present instructions I do not feel authorized to pay for such work.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

P.S. I forgot to mention, in the body of this Communication, that I would like you to cause funds to be placed to my credit with the Assistant Treasurer in New York, when my present accounts shall have been adjusted. I find it much easier to sell drafts on New York than Saint Louis, and it will be an accomodation to me to have my advances placed to my Credit at that point, hereafter.

W. W. H. Davis.

Secretary's Office, Territory New Mexico
Santa Fé November 27th 1856.

A. D. Bache Esqr.
Supt U. S. W^ts and Measures.
Washington. D.C.
Sir;

Agreeably to the request contained in your favor of the 26th of September, I have the honor to transmit, enclosed, a certified copy of the acts of the Assembly of this Territory upon the subject of weights and measures. Your letter was not received until the 24th of this month.

I remain &c.
W. W. H. Davis
Secty. Terrty. New Mexico.

Secretary's Office, Terrty. New Mexico,
Santa Fé November 8th 1856.

Hon. Thomas L. Smith
First Auditor Wt. Treasury
Washington D.C.
Sir;

I have the honor to transmit, herewith, an act of by disbursements, as Secretary of the Territory of New Mexico, from the first day of May to the thirtieth day of November inst. inclusive.

I remain &c.
W. W. H. Davis
Secty. Terrty. New Mexico.

Secretary's Office, Terrty. New Mexico.
Santa Fé November 27th 1856.

Isaac H. Sturgeon Esqr.
Asst. Treasurer U. S.
Saint Louis Mo.
Sir;

I have this day drawn upon you, and in favor of Webb and Livingsburg, or order, draft No. 27 for three thousand dollars ($3000.) which you will please pay upon presentation.

I remain &c.
W. W. H. Davis
Secty. Terrty. New Mexico.

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Secretary's office. Territory of New Mexico.
Santa Fe, November 29th. 1856.

Isaac N. Sturgeon Esquire
Asst. Treasurer United States
Saint Louis Mo.

Sir;

I have this day drawn upon you, draft No. 28. for one hundred dollars ($100) in favor of Miss Lucy B. Magruder, or order, which you will please cause to be paid upon presentation.

I remain.
very respectfully.
your obt. servant.
(signed) W. W. H. Davis.
Secty. Terry. New Mexico.

Secretary's Office, Terry. New Mexico
Santa Fe January 5th 1857.

Honorable Elisha Whittlesey
First Comptroller U. S. Treasury
Washington D.C.

Sir;

Enclosed please find the voucher of Mr. Collins for furnishing the Governor's Message for the present session of the Legislative Assembly for which I have paid one half and taken his receipt for the same.

I remain
very respectfully
Your obt. Sert.
(Signed) W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's office. Terry. New Mexico.
Santa Fe, January 21st. 1857.

Isaac N. Sturgeon Esquire
Asst. Treasurer of the U. S.
Saint Louis Mo.

Sir; I have this day drawn upon you and in favor of Messrs Webb & Kings Bury, or order, a draft for eighty two dollars and forty eight cents. which you will please pay upon presentation. The number of the draft is 29.

I remain
very respectfully
your obt. servt.
signed. W. W. H. Davis.
Secty. Terry. New Mexico.

Secretary's Office Territory New Mexico:
Santa Fe March 1st. 1857.

Hon. Elisha Whittlesey
First Comptroller U. S. Treasury
Washington D.C.
Sir:

I am in receipt of your favor of the 12th. of December in reference to the account of Jno. W. Dunn for services as extra Clerk in the Territorial Legislature session of 1851, the contents of which are duly noted.

I remain very respectfully
Your obdt. Servant.
(signed) W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office, Territory New Mexico:
Santa Fe' March 1st. 1857.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.
Sir:

I am in receipt of your favor of the 20th ultimo, in reference to a further advance of money, the contents of which are duly noted.

I remain &c.
(signed) W. W. H. Davis
Secty. Terry. New Mexico.

Secretary's Office Terry. New Mexico.
Santa Fe March 1st. 1857.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.
Sir:

I have the honor to acknowledge the reception of your favor of the 16th of January notifying me of the adjustment of my accounts for a period extending from May 1st. to November 30th. 1856; and also in relation to other matters.

In relation to the stoppage of $150. paid Sam. Ellison in voucher No. 4, abs. 6. I have the honor to reply as follows. In your letter to me of July 25th 1856 addressed to me at Brooklyn New York, you write me that, "as the English Copy of the Journals (55 & 56) have been published, I (you) think you will be justified (as you cannot write, and translate the Spanish) in employing specially a Competent Clerk, (if necessary) to do it on the most favorable Terms." and you estimated, in the same Connection, that $75 or $100 would be ample Compensation

for said service &c. In reply I wrote you that I could not get the journals translated and prepared for the press for so small a sum, but would do the best I could. To this letter of mine you made no reply, and I took it for granted that you left the matter wholly to my discretion, believing I would do what would be most advantageous for the public service. This I have done.

When I returned to this place in September last, I laid your letter before Mr. Ellison, and asked him if he would do the work for that sum; when he replied that he would not. I then requested him to inform me of the lowest sum for which he would translate both journals for the press, when he agreed to do the work for $300. which was to include, besides the bare translation, the furnishing a clear copy of each journal for the press, in Spanish, and making out the Spanish Indexes. The charge of $300, was his price for the translation alone; but under the circumstances he agreed to do the additional work without further compensation. but if he had not done it, I would have been obliged to employ some other person for that service. With the professional translators here their labor ceases when a simple translation is made, and they will never, without additional compensation, fit a work for the hands of the printer read proof, when required, and make indexes.

These are the circumstances under which the work was done, and the price paid was the lowest I could have got it done for, and is reasonable in amount. For a simple translation of the laws, of the same session, you allowed me to pay Mr. Ellison $250. and the matter translated, in each of the two journals is nearly double that translated in the laws. If the same amount of labor in each case received an equal equivalent the translation of the journals would have cost double the amount charged. The regular charge for translating here, unless where a person receives a yearly salary for his labor, is $150. for each hundred words and I presume that hereafter the Secretary's Office will have to pay at the same rate. There are but two competent translators here, and one or the other I am obliged to employ at the same compensation. When I came to make up Mr. Ellison Voucher, I devided the charge, as you see, specifying it was for both translating, and preparing for the press (having formerly made out the vouchers in the same form) when, in fact, the entire sum was actually paid for the work of translation, the other labor being performed gratis. In Conclusion I would state, that the account Charged in the voucher is the lowest sum the work could have been done for; and I cannot refrain from saying, that I think it would be unjust to make me pay the amount of $150. now suspended in my accounts, I submit the question to you, whether the translation of the two Journals was not worth $300. when $250. has been allowed for translating the laws, not one half the labor. The same amount of labor should command equal compensation under similar circumstances. Continued, please find a statement of Mr. Whiting, Translator in the Office of the Surveyor General, as to the price of translating here, and the reasonableness of the charge of Mr. Ellison

I have to regret that my course in reference to the binding of the revised Code has not fully met your approbation. I will admit, that the most prudent course would have been for me to have submitted the question of additional Cost for binding, to the department, And my only reason for not doing soo, was, that I did not imagine the department would refuse to pay for the actual Cost of binding and material Consumed. And I could see, in such Course, no other result than unnecessary delay. Now I to understand, from your remarks upon this point, that the binding would have been refused because the actual cost thereof would be more than 55 Cents, each volume, which I had previously been authorized to pay? I do not make the Cost of binding as much as you do. (88 Cents) per volume; as my restriction is that the accounting officers allowed but 15 Cents per volume for stitching and folding, whereas Cutler & Davis paid 30 Cents per volume, for the same work.

You have misunderstood my remarks about increasing the balance of the binding material or rather appropriation; as I distinctly stated that I did not feel authorized to increase it unless you should think it best, under the Circumstances, as you will find by a reference to my letter

I do not see how the cost of the material and binding could have been reduced. In all the matter, I know that I have consulted the interest of the public service, only, and regret that my course should have merited an implied censure from the Honorable Comptroller Hereafter I will not use any own discretion in any matter, without having first had instructions from the department, to that effect. All of which is respectfully submitted.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

(signed)

Secretary's Office, Territory New Mexico.
Santa Fé March 2nd. 1857.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington D.C.
Sir:

In my letter to you of the 27th. of last November, I requested instructions upon the subject of praying for translating the laws and Journals for the press, which I am authorized to have printed. I do not feel authorized to contract for this work, under present instructions, and desire that you will direct me what to do in the premises. I regret that you did not reply to me, upon this subject by the February mail, as the laws will now be delayed going to press until I can again hear from Washington. Be pleased also, to mention how much I will be allowed to pay for the translations. I beg leave to refer you to my previous letters, upon this subject, showing the necessity of having the laws and journals Translated.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

(signed)

Secretary's Office Territory New Mexico
Santa Fé February 28th. 1857.

Hon. Thomas L. Smith
First Auditor U. S. Treasury
Washington D.C.
Sir.

I have the honor to transmit herewith my accounts for disbursements of the Legislative fund, for the session of 1856 and 57.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

(signed)

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Secretary's Office, Territory New Mexico
Santa Fé March 2nd. 1857.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.
Sir:

I herewith transmit to the proper accounting officer of the Treasury department, an account of my disbursements of the Legislative fund from the 1st day of December to the 28th day of February inclusive. I have not charged myself with the $150 on acct. of money paid Samuel Ellison, as I consider that but suspended and open for explanations.

I remain &c.
(signed)
W. W. H. Davis
Secty. Territy. New Mexico

Secretary's Office Territy. New Mexico
Santa Fé March 2nd. 1857.

Hon. Elisha Whittlesey
First Comptroller U. S. Treasury
Washington D.C.
Sir:

Enclosed please find the voucher of James L. Collins, for the Spanish House and Council Journals of the session of 1855 and 56, upon which I have paid five hundred dollars and taken his receipt for the same. You will notice that he has printed the names of members in columns, and thereby increased the House journal several pages, with an additional cost in composition pressework, and paper of $30 or 40 dollars. Enclosed please find a copy of my instructions to Mr. Collins upon the subject, but which he disregarded in this particular, as well as the Circular from your Office. The matter is referred to you for decision. I also send herewith samples copies of the journals.

I remain &c.
(signed)
W. W. H. Davis
Secty. Territy. New Mexico.

Secretary's Office Territory New Mexico.
Santa Fé March 27th 1857.

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury.
Washington D.C.
Sir:

I have the honor to acknowledge the reception of your favor of the 23rd of January in answer to mine of November 27th 1856 upon the subject of paying for translating the laws and journals of the last session and would reply as follows.

In reference to translating the laws you remark. "I (you) am of the opinion you will be justified in paying a reasonable compensation for translating the Spanish copies of the laws and journals of the present session (1856-57) of the Assembly for publication. The prices to be paid for translating the Spanish copies of the laws, will, in some measure depend upon the size of the pamphlet edition, I should think however, $100 would be ample compensation." In reference to translating the journals, you make an extract from your letter to me of the date of July 25th 1856, upon the same subject, the substance of which is, that I am authorized to pay $75. or $100 for said work. The amount you authorize me to pay for translating the laws and journals is far below what it can be done for, and in view of all the circumstances I am not willing to take the responsibility of increasing the compensation. I had the journals of the session of 1855'56, translated upon the authority of your letter of the 25th of July last: for which I paid an amount greater than you authorized me to do, because I could not get it done for less, and the accounting officers of the Treasury department stopped one half the sum against me. You refer me to the same authority for translating the journals of the session just closed, but which I cannot have done for a less sum than I paid last year. Now as the authority is the same in both instances to have similar work done, and as the accounting officer refused to allow my account last year, they would be likely to refuse to allow a similar payment this year. Under the circumstances, I do not feel at liberty to increase the compensation, with a fair prospect of having part of it stopped against me, and as the work cannot be done for the price you have fixed, I feel constrained to refer the matter back to you, for your final decision.

Upon the receipt of your letter I addressed a note to Messrs. Whiting and Ellison each, requesting them to inform me what they could do the work for; and their replies you will find herewith enclosed. The price they have named is no more than the work is reasonably worth, and no competent translator can afford to do it for less, in this County. They are the only two translators I know in the Territory. At the rate they specify, the translating will come to about the amount I paid for similar work last year. There seems to be a misunderstanding of the labor (clerical) necessary to prepare the Spanish copies of the journals for the press, and to explain the matter I will take a case in point. Take the House journal of this year, it was kept in Spanish, badly written, worse grammar, and a still worse style. It is not fit to be copied or translated in its present condition; but in the first place the translator has to sit down, and re-write the whole of the journal in Spanish changing the phraseology, and putting it in regular journal shape, but without altering the substance. This done the translator renders it into English, and when revised the two copies are ready for the press. This course of labor finishes one journal. By this you will understand what is meant by the terms "preparation and translating for the press." It is the custom to pay additional for the copying and preparation.

In reply, I would like you to give me specific instructions upon the point, and state the amount I will be authorized to pay for the work. I think Mr. Ellison will do all the necessary labor for the price he fixes for translating, without any additional for copying, but that Mr. Whiting will not. If you will authorize me to use my discretion in the matter, I will do the best I can, but am certain it cannot be done for a lower figure than the one named. Be pleased to reply by return mail.

I remain &c.
W. W. H. Davis
Secty. Terry. New Mexico.

(signed)

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Secretary's Office, Territory of New Mexico
Santa Fé April 13th 1857.

Miguel E. Pino Esquire
Editor and Publisher of the Democrat
Santa Fé New Mexico.

Sir:- Herewith, I send you copies of the acts, Joint Resolutions and Memorials, in English & Spanish, passed at the last session of the Legislative Assembly for publication. You will be pleased to furnish this office with three hundred copies bound, of the Laws, at as early a day as possible. I desire you will acknowledge the reception of the copies herewith enclosed.

I remain &c
W. W. H. Davis
Secty. Territy. New Mexico.

(signed)

Secretary's Office, Territy. New Mexico
Santa Fé May 25th 1857

Hon. Elisha Whittlesey
First Comptroller U.S. Treasury
Washington D.C.

Sir

I have the honor to acknowledge the reception of your favors of March 19th and April 20th returning vouchers of James L. Collins and of April 10th informing me of your reply to my letter of the 27th of November 1856.

I remain &
W. W. H. Davis
Secty. Territy. New Mexico.

(signed)

Secretary's Office Territy. New Mexico
Santa Fé May 16th 1857.

Captain M. C. Meigs
U.S. Corps of Engineers
Washington D.C.

Sir

Be pleased to find herewith enclosed a Correct impression of the Grand Seal of the Territory of New Mexico, which I have caused in accordance with the request Contained in your favor of the 19th of March.

I remain &c
W. W. H. Davis
Secty. Territy. New Mexico.

(signed)

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Secty's Office Territory of New Mexico
Santa Fé, June 24th 1859.

Hon. W. Medill.
First Comptroller Nat. Treasury.
Washington D. C.

Sir:

I have the honor to acknowledge the reception of your communication of the fourteenth of May in answer to mine of the second of March, in reference to paying for translating the laws and journals of the last session of the Legislature, the contents of which are duly noted.

I have pursued such a course in the absence of instructions authorizing me to have the laws translated for a price for which the work could be done, so that the delay has really caused no detriment to the public service. At the close of the month of February, I caused all the public acts, of any importance to be printed in sheet form and distributed, one copy to each judicial officer in the Territory. One hundred copies were then struck off and every public officer, entitled to a volume of the session laws, received one. I sent further knowing I could not receive an answer to my letter of the second of March, until late in June. I induced Mr. Allison to translate the laws upon his own responsibility, and prepare them for the press, that there might be less delay in their publication. Thus he did, as a matter of accommodation, and I sent the copies of the laws, in Spanish and English to the printers as early in April, as the printer could go to work on them, and they are now nearly completed.

In preparing the laws for the press, the original text is never altered, except to correct the spelling; but the English translation is rendered into good and appropriate language. I hope the course I have pursued in causing copies of the public acts to be printed and distributed in sheet form, will under the circumstances be approved. The cost was about four dollars

I remain
very respectfully
Your Obt. Servt.
(Signed) W. W. H. Davis
Secty. Territ. New Mexico

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Secretarys Office Territy. New Mex.
Santa Fé June 23rd. 1857.

Hon. Julius Hyfelden
Assistant Secrety. of State
Washington D.C.
Sir.

I have the honor to acknowledge the receiptim of your favor of the 23rd. of May enclosing a Copy of Certain resolutions passed at a meeting of the "National Democrats" held in Santa Fé, on the 28th of March last. In these resolutions I am Charged, in the first place, with a "malicious disregard of official duty in not sending the Memorials, passed by the Legislature to Mr. Otero our Delegate in Congress;" And in the second place, with "a high neglect of official duty, in withholding the publicatiem of the laws passed by the Legislative Assembly at the late session, many of which did not take effect until after their publicatiem!" to which are added a few side thrusts by way of going a better Coloring to the picture. I must admit that these Charges have a formidable appearence upon paper, but this, like every other matter in issue, has two sides to it, and which, I am very sure will be apparent to you by the time I shall have concluded this letter. I will now proceed to state what is the truth of the matter alleged against me by which you will be able to draw your own Conclusions of my guilt or innocence.

When I entered upon the discharge of my duties, as Secretary of the Territory, I found that my foredecessors in Office had been authorized to pay $500 for translating the laws and journals of each session of the Legislature, for the press, I pursued the same Course and paid this amount for the same work, for the sessions of 1854-55 and 1855 & 56: but when the auditing Officers came to settle my accounts they stopped against me the sums thus paid, for the alleged reason that they did not Consider the expenditure authorized. During the past summer, when in Washington, these stoppages were finally allowed in my accounts, but I was informed that I must not Consider this any precedent for the future. Under these circumstances it could hardly be supposed that I would incur a similar expenditure a second time, unless positively instructed to do so. I should have stated before, that I am directed to have the laws printed in both the English and Spanish languages, which as they are generally passed in Spanish, cannot be done unless translated. In this view of the case I addressed Mr. Whittlesey First Comptroller U.S. Treasury upon the subject, on the 27th of November 1856 and requested instructions, a Copy of which is hereto annexed marked (A)

I should have received an answer to this letter in the month of February following, but on account of the roads being blocked up with snow, the reply did not reach me until near the close of March, four months afterwards, a Copy of which is hereto annexed marked (B.) Not receiving a reply to my Answer by the February Mail, as should have done, I again addressed Mr. Whittlesey upon the same subject on the second of March, and a second time requested to be instructed in the premises, a Copy of which is hereto annexed marked (C) upon the receipt of Mr. Whittlesey's letter of January 23rd. marked (B.) which authorized me to pay $100 for translating the laws, I immediately addressed a note each to Messrs Ellison and Whiting the only two translators here, and requested them to state to me the lowest sum for which they would do the work, They both replied that $1.50 per each one hundred words was the lowest price for which they Could afford to do the work, and would not do it for less. This Condition of things placed me in a delicate position as regarded any official duty in the premises, but as the Comptroller of the Treasury Department was my superior Officer &-

was obliged to be governed by his instructions. I again addressed Mr. Whittlesey upon the same subject on the 27th of March, a copy of which is hereto annexed marked (D.) with the letters of Messers. Ellison and Whiting enclosed. To this letter I received a reply yesterday, dated May 14th which authorizes me to have the laws translated for the press, a copy of which is hereto annexed marked (E.) and my reply marked (F.)

This statement exhibits the correspondence between the Treasury Department and myself upon the subject, and also shows the delicate situation in which I was placed; disregard my instructions and Contract for this work, and pray for the same, I dared not, while to remain quiet and refuse to have the laws printed would subject me to a charge of apparent neglect of official duty. Upon this showing simple, I hold that I am blameless in the matter, and have not been guilty of a "malicious disregard of a high Official duty" as my assailants so flippantly allege; but I even did more than I was required to do by this same "Official duty" as a further relation of facts will exhibit. The laws were all approved in Spanish and under no circumstances could they be published without first being carefully translated. Thus situated, I determined to pursue such course as duty seemed to mark out, and, at the same time, neither violate my instructions or allow the public service to suffer. In the meantime, and before I had received instructions to have the laws translated I proposed to Mr. Ellison, who had hitherto done the translating for the Secretary's Office, to go to work and translate them upon his own responsibility; and that when I was authorized to do so, I would pay him for the work, and he could deliver the Translations to me as by such course some delay would be avoided. He accepted my proposition and performed the service. Not hearing from the Comptroller by the February mail, and knowing then there must be great delay in printing the laws. I selected all the public acts of any importance, caused them to be carefully Copied, and had one hundred Copies of each printed and destributed Throughout the Territory one to each judicial officer, the same who are entitled to receive Copies of the session laws complete. These laws were sent to the press the last of February and completed and distributed the first week in March. See certificate of Public Printer marked (G.) hereunto annexed. Upon the receipt of Mr. Whittlesey's letter of January 23rd in answer to mine of November 27th 1856, and which did not reach me until the fourth week in March seeing that in view of the absence of authority to pay a price for translating the laws for which I could get the work done there would be great delay. I requested Mr. Ellison to turn over to me his English translations of the laws that Printer send them to the press; at the same time stating that I would again lay the whole matter before the Treasury Department and endeavour to procure an allowance for his Labor. See his certificate hereunto annexed, and marked (H.). He delivered them to me accordingly, and after they had been carefully Compared with the Original rolls in my Office, they were put into the hands of the Public Printer as early in April as it was practicable for him to go to work upon them. They are yet in press, and are nearly completed.

Here you have the facts of the case, and you are as well qualified as myself to judge how far I am to blame for the Course I have pursued. That there has been some delay in the publication of the volume of the session laws of the last Legislature, there can be no doubt, but this has arisen from no fault of mine. Notwithstanding the delay in the public service, no fault has been suffered thereby as the publication of the public acts in short form, placed all the laws of importance in the hands of those persons who are entitled to receive full Copies before hand, and through them came to the knowledge of the people.

Among other things my assailants charge that many of the laws do not take effect until after their publication, leaving the impression that because I had refused to have said laws published, they feel dead letters. This is not true. The last Legislature passed but a single act that did not take effect until after its publication (a law providing for closing stores on Sunday) which I caused to be printed and circulated with the others. The meeting of these "National Democrats," was held on the 28th of March three weeks after the public acts had been printed and in circulation which the getters up of that meeting must have known, or if they did not know it, it was at least their duty to be satisfied upon the point, before making such false statement.

The charge contained in the other resolution is as groundless as the first. Here another "malicious disregard of a higher official duty" is laid to my charge, and my assailants even pronounce me guilty without trial. You must admit, with me, that before an officer can be guilty of a neglect of duty, that that, with which he is charged to have neglected to do, he was obliged to perform by laws or instructions, and without which it was no official duty. The act of Congress erecting a territorial government in New Mexico, thus points out the duties of the Secretary of the Territory in Section 4: "And be it further enacted. That there shall be a Secretary of said Territory, who shall reside therein, and hold his office for four years unless sooner removed by the President Of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter Constituted, and all the acts and proceedings of the governor in his executive department: he shall transmit one copy of the laws and one copy of the Executive proceedings on or before the first of December in each year to the President of the United States, and at the same time, two copies of the laws to the Speaker of the House of Representatives and the President of the Senate for the use of Congress. And, in case of the death, removal, resignation or other necessary absence of the Governor from the Territory, the Secretary shall have, and he is hereby authorized and required to execute and perform all the powers and duties of the governor during such vacancy or necessary absence, or until another Governor shall be duly appointed to fill such vacancy."

This is all the Organic Law says in regard to the duties of the Secretary and surely there is nothing in it about sending Memorials to the Delegate in Congress. Neither is there any act of the Territorial Legislature, or joint resolution or instructions making it the duty of the Secretary to perform this service. It is, and ever has been, the duty of the Chief Clerk of the House in which the memorial originates: and in the absence of these Memorials being sent to me with a request that I would copy and send them to the Delegate, it would naturally be inferred that the Clerk had done his duty and required no assistance from me. The practice has been, in this Territory for the Secretary to send certified Copies of the Memorials, passed by Legislature, to the Speaker of the House of Representatives, and the President of the Senate of the United States; and also, when requested so to do, he has transmitted like Copies to the Delegate in Congress. It has been the practice for the Legislature to embrace this request in the Memorial. This much for the law and the practice.

The last Legislature passed four memorials which were approved by the Governor, but no request was made upon me to transmit them to the Delegate or to any one else. Three of these were approved late in December, and the fourth at the close of January. It came to my knowledge, just before the mail went out which left on the 3rd of January and when very much engaged with official business, that these three memorials had passed and not been copied for transmission, I requested the Clerk of the House in which they originated, to trans-

copies of them for me to transmit to Washington, which they neglected to do. This being the case I took them in my Office, and caused Copies to be made (Copying some myself) the last night of the month. I sent Copies of all of them to the Speakers of the two Houses of Congress, and of one or more to Mr. Otero the Delegate, but whether they reached him, I am not able to say. See Certificate hereunto Annexed, marked (II.). Those received by the Speaker of the House of Representatives of the United States, I am informed that gentleman delivered to the Delegate in person. I took the pains to Copy some, cause others to be Copied, and send them as above stated as a matter of accommodation, even when duty did not require it of me: and if I failed to send Copies of all the memorials to the Delegate it was because of the want of time, and from no other motive. The memorial which passed late in January I did not forward, either to the Speakers of the two Houses of Congress, or to the Delegate, and upon the suggestion of Governor Merriwether. The reason of this was, that it would not reach Washington until about the time of, or after the adjournment, and could not be acted upon, but would be lost; and under the circumstances the governor thought, I had better retain said Memorial until just before the next Congress Convenes.

I have thus, as briefly as could do so, given you a correct account of the matters alleged against me, and which my assailants deem sufficient to cause my removal from Office. In these matters, I acted in a conscientious discharge of my duties, And it is possible I may have Committed an error of judgment, but if so, it sprang from the head and not from the heart, I have to ask that you lay this Communication before the President, and say to him, that I Court the closest possible scruting into every act of my Official life in this Country, and shall esteem it a great favor, that if ever an insinuation is made against my Official Conduct, he will immediately call upon me for an explanation; and whenever I do not come up to the strict line of duty that his own sense of right and justice marks out, it will afford me pleasure to lay down the seals of Office and retire into private life. I do not expect to escape those Darts of envy And malice which have been aimed with remorseless accuracy at the best and wisest of our land; but I intend to ward off their blow by always wearing about me the Armour of strict integrity and right. Although the proceedings of the meeting at which these resolutions were passed are signed by Mexicans, they were Only made the fellows tools, for others who stand behind the scene, and like errant Cowards, which they are, had not the courage to endorse their own iniquity. This whole matter was concocted and instigated by a few Americans whom I am ashamed to say are Americans born, And the most bitter personal enemies I have in the world, men who, Tomorrow, if necessary to accomplish their purposes, would have no scruples in swearing, and, if they Could, convicting me of any Crime in the Calendar. These men accuse me of being guilty of a "Malicious disregard of duty" because instigated by a "perverse and malicious creature". For judges forsooth, to pass sentence upon me, when they themselves, are living in daily violation of the holiest of God's laws, and disgracing human nature and the name of man. They have long pursued me with unrelenting bitterness because I could neither indulge with them in their revelries & in others, and like me, to blast my reputation must be falsehood and fraud, & envy or in their gross vein of any "feelings" as these monsters are not grossen to the weight, & enormity of the great injustice they have attempted to do me, and I envy. For Conclusion, I would ask that you refer to the Secretary of State, to learn the manner in which I have discharged my official duties, where-

I flatter myself. I can exhibit as clean a record, as any Officer of the Federal government.

I remain &c.
W. W. H. Davis
Secretary and Acting Governor of
New Mexico

(Signed)

Secretary's Office, Territory of New Mexico
Santa Fé, October 3rd 1859.

The United States of America
Territory of New Mexico } I Alexander McJackson, Secretary of the Territory of New Mexico, do hereby certify that on this the third day of October, in the Year one thousand Eight Hundred and fifty nine, I did proceed in the presence of Abraham Rencher, Governor of the said Territory, to count up the number of votes polled in the different counties of said Territory for Delegate to Congress, at the General election held in said Territory according to law on the first Monday being the fifth day of September last past, and that upon such count it appeared that Miguel Antonio Otero received for the said Office of Delegate the number of Eight Thousand and Twenty one (8021) votes, and that José Manuel Gallegos received for the same Office Six Thousand, Five Hundred and Seventy five (6575) votes, and that no other person received any votes for said Office:

Wherefore, in pursuance of the Law thereunto made and provided, I do hereby certify that Miguel Antonio Otero, having received the highest number of votes for the office aforesaid, at the Election aforesaid, is duly elected Delegate from the Territory of New Mexico, to the House of Representatives of the United States, to serve during the Thirty Sixth Congress of the United States.

Given under my hand and the Seal of the said Territory at Santa Fé, on this the third day of October, One thousand Eight hundred and fifty Nine.

(Signed) Alexander M. Jackson
Secretary of the Territory of New Mexico

Know all men by these presents that, We, Miguel A. Otero, James L. Johnson, Charles P. Clever & William A. Street, all of the Territory of New Mexico and County of Santa Fé are held and firmly bound unto the United States of America in the just and full Sum of Twenty Thousand Dollars lawful money of the United States, to which payment, well and truly to be made, we bind ourselves jointly and severally, our joint and several heirs, Executors and Administrators, firmly by these presents sealed with our seals, and dated this twenty second day of June in the year of Our Lord One Thousand Eight Hundred and Sixty One.

The condition of the foregoing Obligation is such that whereas the People of the United States have appointed Miguel A. Otero Delegate of the Territory of New Mexico, in virtue of An Act passed by the Congress of the United States of America and entitled "An Act to provide for the better organization of the Territory of New Mexico, and for other purposes" approved by the

said State of all the Territory claimed by her exterior to said boundaries, and of all her claims upon the United States; and to establish a Territorial Government for New Mexico, approved the 9th day of September, 1850 — and whereas according to the Statute and the usages of the Government, the Secretary is made the disbursing Agent to pay the expenses of the Legislative Departments and the contingent expenses of the Territory, and as such is required to give bond, — Now, therefore, if the said Miguel A. Otero, shall truly and faithfully disburse and promptly account for all money that shall be intrusted to him for disbursement as such Secretary, for the purposes of defraying any expenses of the United States in said Territory, or which may be directed by the Secretary of the Treasury, or the head of any of the Departments of the Government, to be paid by him for any other purpose, then the Above Obligation to be void and of no effect; otherwise it shall abide and remain in full force and virtue.

Signed and Sealed
in presence of
Jesus Perez
Santiago L. Hubbell

(Signed) Miguel A. Otero, Seal
(") James L. Johnson Seal
(") C. P. Clever — Seal
(") William A. Street Seal

Secretary of New Mexico.

I, Kirby Benedict, Chief Justice of the Supreme Court of said Territory, and Judge of the First Judicial District, do hereby Certify that, James L. Johnson, Charles P. Clever and William A. Street, securities in the above bond, are sufficient for the penalty therein mentioned.

Given under my hands this 22nd day of June A.D. 1861, at Santa Fé

Kirby Benedict
Chief Justice